

Jennifer Wood
Mayor

J. Carlos Gomez
Mayor Pro Tem

Chuck McGuire
Councilmember

Donald Parris
Councilmember

Eugene Stump
Councilmember



AGENDA

CITY OF CALIFORNIA CITY CITY COUNCIL

Tuesday February 13, 2018

Closed Session 5:00 p.m.
Regular Meeting 6:00 p.m.

Council Chambers
21000 Hacienda Blvd.
California City, Ca 93505

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (760) 373-7140. Notification of 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

NOTE: Any writings or documents provided to a majority of the City Council regarding any item on this agenda is available for public inspection in the City Clerk's office at City Hall located at 21000 Hacienda Blvd, California City, Ca during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable laws. These writings are also available for review in the public access binder in the Council Chambers at the time of the meeting

LATE COMMUNICATIONS: Following the posting of the agenda any emails, writings or documents that the public would like to submit to the council must be received by the City Clerk no later than 3pm the Monday prior to the meeting. Past that deadline citizens may bring these items directly to the meeting. Please bring 10 copies for distribution to council, staff and the public.

February 13, 2018

*****At this time, please take a moment to turn off your cell phones*****

5:00 P.M. CLOSED SESSION

CALL TO ORDER

ROLL CALL

Councilmembers McGuire, Parris, Stump, Mayor Pro Tem Gomez, Mayor Wood

ADOPT AGENDA

PUBLIC COMMENTS

Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given three minutes to speak.

CLOSED SESSION

CS 1. Pursuant to Cal. Gov't Code §54956.9 (d)(1); Conference with Legal Counsel; Liability Claim

Name of Claimant: Justin Vincent

CS 2. Pursuant to Cal. Gov't Code §54956.9(d)(1): Existing Litigation; City of California City v. Bob Dacey Golf, Kern County Superior Court No. BCV-17-100250.

CS 3. Pursuant to Cal. Gov't Code §54957; Public Employment: City Manager Evaluation

REPORT OUT OF CLOSED SESSION

6:00 P.M. REGULAR MEETING

ROLL CALL

Councilmembers McGuire, Parris, Stump, Mayor Pro Tem Gomez, Mayor Wood

PLEDGE OF ALLEGIANCE / INVOCATION

CITY CLERK REPORTS / LATE COMMUNICATIONS

PRESENTATIONS

Fire Chief David Goodell – Oath of Office administered by the City Clerk

Peter Smith, Regional Planner KernCog – Kern Region Active Transportation Plan

STAFF ANNOUNCEMENTS / REPORTS

Police Chief Hurtado – Department Update

Fire Chief Goodell – Department Update

Public Works Director Platt – Department Update

Budget Analyst Foster – Department Update

Parks & Recreation Manager Daverin – Parks and Recreation Update

Interim City Manager Stockwell – City Updates

AB 1234 – Council Updates

CIVIC / COMMUNITY / ORGANIZATIONS ANNOUNCEMENTS

February 13, 2018

PUBLIC BUSINESS FROM THE FLOOR This portion of the meeting is reserved for persons desiring to address the City Council on any matter not on this agenda, and over which the City Council has jurisdiction. Please state your name for the record and limit your comments to three minutes.

CONSENT CALENDAR All items on the consent calendar are considered routine and non-controversial and will be approved by one motion if no member of the Council, staff or public wishes to comment or ask questions. (Public comments to be limited to three minutes) Roll call vote required.

CC 1. Approve City check Registers dated through 02/08/18

CC 2. Adopt **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY RESTRICTING THE EXPENDITURE OF CERTAIN FORFEITED FUNDS"**

CC 3. Mayor Wood: Request to attend 2018 CALED Annual Conference

CC 4. OHV: Purchase of Pickup Truck for the G16 Grounds Operations Grant

CC 5. Adopt **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY SUPPORTING THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018"**

CONTINUED PUBLIC HEARING

CPH 1. Municipal Code Zone Amendment – Section 9-2.2406 (Flood Hazard), of Article 24 (Overlay Zones) in Chapter 2 (Zoning), in Title 9 (Land Use and Development) of the California City Municipal Code as it relates to Flood Hazard

PUBLIC HEARING PROCEDURE

- A. Mayor read the item
- B. Mayor reopen the Public Hearing open
- C. Hear staff report
- D. Council questions only
- E. Ask city clerk to report on any communication(s)
- F. Mayor call for public testimony
- G. Close Public Hearing by motion
- H. Council discussion
- I. Council motion and vote

Recommendation

Council discuss, take public comments, and give First Reading, by Title only, with Further Reading waived of **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AMENDING SECTION 9-2.2406 (FLOOD HAZARD), OF ARTICLE 24 (OVERLAY ZONES), IN CHAPTER 2 (ZONING) IN TITLE 9 (LAND USE AND DEVELOPMENT) OF THE CALIFORNIA CITY MUNICIPAL CODE AS IT RELATES TO FLOOD HAZARD"**

CONTINUED BUSINESS

CB 1. Assignment of Alternates for Council Appointments – Mayor Wood

Recommendation

Council review and fill vacancies for alternates

February 13, 2018

CB 2. Clarifying the Intent of Measure B Tax Extension – Interim City Manager Stockwell

Recommendation

Council discuss and adopt **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY DECLARING ITS INTENT THAT SPECIAL TAX PROCEEDS BE USED SOLELY TO SUPPORT POLICE AND FIRE”**

NEW BUSINESS

NB 1. Establishment of Strategic Fund Balance – Interim City Manager Stockwell

Recommendation

Council discuss and direct legal counsel to prepare a resolution in accordance with the attached strategic fund balance policy. Resolution will be brought back, on the consent calendar for adoption, at the next City Council meeting.

COUNCIL AGENDA

This portion of the meeting is reserved for council members to present information, announcements, and items that have come to their attention. The Brown Act precludes Council, staff or public discussion. Short staff responses are appropriate. The Council will take no formal action. A Council member may request the City Clerk to calendar an item for consideration at a future meeting or refer an item to staff.

**Councilmember Parris
Councilmember Stump
Councilmember McGuire
Mayor Pro Tem Gomez
Mayor Wood**

ADJOURNMENT

AFFIDAVIT OF POSTING: This agenda was posted on all official City bulletin boards, the City's website and agenda packets were completely accessible to the public at City Hall at least 72 hours prior to the Council Meeting.

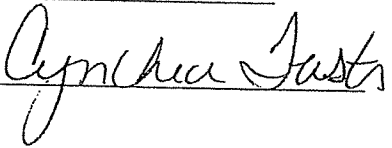
Denise Hilliker, City Clerk

Report Criteria:

Report type: Invoice detail
Check.Check Number = 101889
Bank.Bank Number = 1

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
01/18	01/23/2018	101889	SWRCB	Large System Fee	LW-1014431	17,938.50	17,938.50
01/18	01/23/2018	101889	SWRCB	Wonder Acres Small Syste	SM1014124	250.00	250.00
Total 101889:							18,188.50
Grand Totals:							18,188.50

I HEREBY CERTIFY AS TO THE ACCURACY OF THE DEMANDS AND AVAILABILITY OF FUNDS:

Dated: 1-23-18Finance Director 

Report Criteria:

Report type: Invoice detail
Bank Number = 1
Check Voided = no

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
01/18	01/29/2018	101890	California City Successor Agen	Reimbursement for Norm	CK 2424 012918	4,000.00	4,000.00
Total 101890:							4,000.00
01/18	01/29/2018	101891	George & Theresa Grisham 20	Refund Special Tax & Wate	REF 234-560-17-00-	175.00	175.00
Total 101891:							175.00
01/18	01/29/2018	101892	US Bank Corporate Payment	PD Credit Purchases	PD 7239 122617	1,039.67	1,039.67
01/18	01/29/2018	101892	US Bank Corporate Payment	Outdoor Rec Deposit Refun	PD 8105 102517	50.00-	50.00-
01/18	01/29/2018	101892	US Bank Corporate Payment	PD Credit Purchases	PD 8105 122617	4,204.70	4,204.70
01/18	01/29/2018	101892	US Bank Corporate Payment	PW Credit Purchases	PW 7304 122617	1,769.82	1,769.82
Total 101892:							6,964.19
Grand Totals:							11,139.19

I HEREBY CERTIFY AS TO THE ACCURACY OF THE DEMANDS AND AVAILABILITY OF FUNDS:

Dated: 1/29/18Finance Director Cynthia Gust

Report Criteria:

Report type: Invoice detail
Bank.Bank Number = 1
Check.Voided = no

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
02/18	02/01/2018	101893	AT&T Wireless	Code Cellular Data and Pho	287281248059XDE	1,692.38	1,692.38
Total 101893:							1,692.38
02/18	02/01/2018	101894	MuniTemps	A. Doravari Planning Tech	127603	3,984.75	3,984.75
02/18	02/01/2018	101894	MuniTemps	A. Doravari Planning Tech	127646	3,960.00	3,960.00
02/18	02/01/2018	101894	MuniTemps	A. Doravari Planning Tech	127689	4,083.75	4,083.75
Total 101894:							12,028.50
02/18	02/01/2018	101895	SoCalGas	Gas Service	173 738 1691 1 011	2,143.76	2,143.76
Total 101895:							2,143.76
02/18	02/01/2018	101896	Municipal Solutions, LLC	Interim City Manager Fee	5	6,750.00	6,750.00
Total 101896:							6,750.00
Grand Totals:							22,614.64

I HEREBY CERTIFY AS TO THE ACCURACY OF THE DEMANDS AND AVAILABILITY OF FUNDS:

Dated: 2/1/18Finance Director [Signature]

Report Criteria:


Report type: Invoice detail

Bank Bank Number = 1

Check Voided = no

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
02/18	02/05/2018	101897	Myers, Steven	Initial Uniform Allowance	UNIFORM 013118	750.00	750.00
Total 101897:							750.00
Grand Totals:							750.00

I HEREBY CERTIFY AS TO THE ACCURACY OF THE DEMANDS AND AVAILABILITY OF FUNDS:

Dated: 2-6-18Finance Director 

Report Criteria:

Report type: Invoice detail
Bank Number = 1

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
02/18	02/08/2018	101898	3D Imaging Systems, Inc	Postage Machine Supplies	62235	292.79	292.79
02/18	02/08/2018	101898	3D Imaging Systems, Inc	Postage Machine Supplies	64348	51.88	51.88
Total 101898:							344.67
02/18	02/08/2018	101899	Alexander Enterprises, Inc	Monthly water billing	2495	3,181.84	3,181.84
Total 101899:							3,181.84
02/18	02/08/2018	101900	Alexander, Matthew	Labor/Salaries	CC 18-1	3,552.50	3,552.50
Total 101900:							3,552.50
02/18	02/08/2018	101901	Alexander's Contract Services	Meter Readers	201802010081	5,488.84	5,488.84
Total 101901:							5,488.84
02/18	02/08/2018	101902	AmeriPride	Uniform Maintenance	2100657269	172.84	172.84
02/18	02/08/2018	101902	AmeriPride	Uniform Maintenance	2100658771	174.84	174.84
Total 101902:							347.68
02/18	02/08/2018	101903	Arrow International	Medical Supplies	95298271	1,073.15	1,073.15
Total 101903:							1,073.15
02/18	02/08/2018	101904	AV Collision Repairs, Inc	Unit 322 Repair	220968C5	152.50	152.50
Total 101904:							152.50
02/18	02/08/2018	101905	AV Fuel Corporation	Jet Fuel	010459853	7,904.71	7,904.71
Total 101905:							7,904.71
02/18	02/08/2018	101906	AVEK	Monthly Water Support Us	24717	280.00	280.00
Total 101906:							280.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B286870	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B286871	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B286872	91.00	91.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B287052	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B287312	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B287398	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B287423	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B287424	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B287425	78.00	78.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B287788	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B287972	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B288072	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B288157	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B288166	20.00	20.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B288169	104.00	104.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B288421	65.00	65.00
02/18	02/08/2018	101907	B C Laboratories, Inc	WATER TESTING	B288653	20.00	20.00

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
02/18	02/08/2018	101917	Centrisys Centrifuge Systems	Oil Cooler	PSI-19414	64.30	64.30
02/18	02/08/2018	101917	Centrisys Centrifuge Systems	Oil Cooler	PSI-19416	1,143.46	1,143.46
Total 101917:							1,207.76
02/18	02/08/2018	101918	Chief Supply Corporation, Inc	Uniform for Craig/CSO/Res	313301	154.47	154.47
02/18	02/08/2018	101918	Chief Supply Corporation, Inc	Respirators	335600	615.96	615.96
02/18	02/08/2018	101918	Chief Supply Corporation, Inc	Respirator Masks, bags for	351157	1,966.63	1,966.63
02/18	02/08/2018	101918	Chief Supply Corporation, Inc	Goggles	360215	395.89	395.89
Total 101918:							3,132.95
02/18	02/08/2018	101919	City Hardware, Inc	ACO Supplies	100399 013118	342.13	342.13
02/18	02/08/2018	101919	City Hardware, Inc	MJ Enforcement Gear	100403 123117	1,334.85	1,334.85
02/18	02/08/2018	101919	City Hardware, Inc	Airport Hardware Supplies	100411 123117	211.99	211.99
Total 101919:							1,888.97
02/18	02/08/2018	101920	Classic Lock & Keys	PD Repin & Keys	012518	130.00	130.00
Total 101920:							130.00
02/18	02/08/2018	101921	Copware, Inc	Legal Sourcebook licenses	84122	615.00	615.00
Total 101921:							615.00
02/18	02/08/2018	101922	De Lage Landen Public Financ	Copier Loan Payment	57936504	45,922.81	45,922.81
Total 101922:							45,922.81
02/18	02/08/2018	101923	De Lage Landen, Inc	Copier Lease	57824173	208.07	208.07
Total 101923:							208.07
02/18	02/08/2018	101924	Dennis Automotive	Maintenance Supplies	18261	384.00	384.00
Total 101924:							384.00
02/18	02/08/2018	101925	Department of Justice	Live Scans Dec 2017	277816	742.00	742.00
02/18	02/08/2018	101925	Department of Justice	Fingerprinting Oct 2017	280519	49.00	49.00
Total 101925:							791.00
02/18	02/08/2018	101926	Steve & Jan Bertonaschi	Deposit Refund	101764.04	42.74	42.74
Total 101926:							42.74
02/18	02/08/2018	101927	Earle & Heidi Bishop	Overpayment	101517.04	46.70	46.70
Total 101927:							46.70
02/18	02/08/2018	101928	Carolinda Batiste	Deposit Refund	103454.11	15.44	15.44
Total 101928:							15.44
02/18	02/08/2018	101929	Josh Meister/Clearview Real E	Overpayment	104758.07	33.91	33.91
02/18	02/08/2018	101929	Josh Meister/Clearview Real E	Deposit Refund	104758.08	23.31	23.31
02/18	02/08/2018	101929	Josh Meister/Clearview Real E	Overpayment	105438.11	46.70	46.70

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
02/18	02/08/2018	101943	DigiTech Inc.	monthly monitoring	8038	137.97	137.97
02/18	02/08/2018	101943	DigiTech Inc.	monthly monitoring	8047	35.99	35.99
02/18	02/08/2018	101943	DigiTech Inc.	monthly monitoring	8104	45.99	45.99
Total 101943:							219.95
02/18	02/08/2018	101944	Drip Drop Hydration Inc.	Powder Sticks	1671	365.00	365.00
Total 101944:							365.00
02/18	02/08/2018	101945	Emergency Reporting	Fire & EMS Package Setup	2018_0025	1,924.58	1,924.58
02/18	02/08/2018	101945	Emergency Reporting	Fire & EMS Package Jan18-	2018_0026	325.58	325.58
Total 101945:							2,250.16
02/18	02/08/2018	101946	Expert Automotive	Unit 306 Replace throttle b	045201	566.11	566.11
02/18	02/08/2018	101946	Expert Automotive	Unit 322 Transmission	045221	784.40	784.40
02/18	02/08/2018	101946	Expert Automotive	Unit 3009 oil change,brake	44831	581.36	581.36
02/18	02/08/2018	101946	Expert Automotive	Vehicle #532 maintenance	44876	481.31	481.31
02/18	02/08/2018	101946	Expert Automotive	Vehicle #532 maintenance	45215	102.15	102.15
02/18	02/08/2018	101946	Expert Automotive	Vehicle #532 maintenance	45218	55.90	55.90
Total 101946:							2,571.23
02/18	02/08/2018	101947	Fed Ex	Priority Mailings	6-054-40672	94.50	94.50
02/18	02/08/2018	101947	Fed Ex	Priority Mailings	6-061-72699	84.31	84.31
02/18	02/08/2018	101947	Fed Ex	Priority Mailings	6-068-86986	103.52	103.52
Total 101947:							282.33
02/18	02/08/2018	101948	Fence Masters	Wrought Iron Gate	5317	1,480.00	1,480.00
Total 101948:							1,480.00
02/18	02/08/2018	101949	Ferguson Waterworks	Supplies, Repairs and Maint	0620276	252.51	252.51
02/18	02/08/2018	101949	Ferguson Waterworks	Supplies, Repairs and Maint	0620535	469.07	469.07
02/18	02/08/2018	101949	Ferguson Waterworks	Supplies, Repairs and Maint	0620764	12,184.02	12,184.02
02/18	02/08/2018	101949	Ferguson Waterworks	Supplies, Repairs and Maint	WV003423	956.67	956.67
02/18	02/08/2018	101949	Ferguson Waterworks	Supplies, Repairs and Maint	WV003426	1,503.48	1,503.48
02/18	02/08/2018	101949	Ferguson Waterworks	Supplies, Repairs and Maint	WV003427	399.88	399.88
Total 101949:							15,765.63
02/18	02/08/2018	101950	Fisher Scientific	Turnout Gear, Struction Bo	6867451	21,024.01	21,024.01
Total 101950:							21,024.01
02/18	02/08/2018	101951	Foster, Cynthia	PerDiem OHV Workshop 0	PERDIEM 010918	163.93	163.93
02/18	02/08/2018	101951	Foster, Cynthia	PerDiem Budget Analyst Ac	PERDIEM 020918	438.74	438.74
Total 101951:							602.67
02/18	02/08/2018	101952	Granite Construction Compan	Repairs/Maintenance Supp	1337209	5,126.94	5,126.94
02/18	02/08/2018	101952	Granite Construction Compan	Repairs/Maintenance Supp	1337228	4,902.32	4,902.32
Total 101952:							10,029.26
02/18	02/08/2018	101953	Great America Financial	Copier Lease	22026370	1,028.60	1,028.60

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
Total 101953:							1,028.60
02/18	02/08/2018	101954	Griffith Company	Griffith Project 30742	1	356,876.09	356,876.09
Total 101954:							356,876.09
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-04 174	17-433	110.00	110.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-09 174	17-496	395.00	395.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-56 174	17-508	1,630.00	1,630.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-79 174	17-528	1,495.00	1,495.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-56 174	17-553	2,380.00	2,380.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-79 174	17-559	695.00	695.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-02 174	17-565	287.50	287.50
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-56 174	17-585	287.50	287.50
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-79 174	17-592	590.00	590.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-02 174	17-598	167.50	167.50
02/18	02/08/2018	101955	Helt Engineering, Inc	LAMP Revision 15415	17-610	5,607.50	5,607.50
02/18	02/08/2018	101955	Helt Engineering, Inc	Mendiburu-Hacienda to Ne	17-611	6,695.00	6,695.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Eastside Taxiway 16413	17-612	575.00	575.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Eastside Taxiway 16413	17-613	13,385.74	13,385.74
02/18	02/08/2018	101955	Helt Engineering, Inc	Eastside Taxiway 16413	17-614	1,534.00	1,534.00
02/18	02/08/2018	101955	Helt Engineering, Inc	Plan Check SDR 17-09 174	17-628	155.00	155.00
Total 101955:							35,989.74
02/18	02/08/2018	101956	Hillcrest	A/C service and parts for A	001312654	283.50	283.50
Total 101956:							283.50
02/18	02/08/2018	101957	Home Depot Credit Services	Facilities Maint. Supplies	6044300	18.45	18.45
02/18	02/08/2018	101957	Home Depot Credit Services	Facilities Maint. Supplies	6044301	204.77	204.77
02/18	02/08/2018	101957	Home Depot Credit Services	Facilities Maint. Supplies	6044302	160.40	160.40
Total 101957:							383.62
02/18	02/08/2018	101958	International Code Council	2017 CALDAG Code Book	1000852236	107.84	107.84
Total 101958:							107.84
02/18	02/08/2018	101959	Interon LLC	City Cameras Service	3034	884.18	884.18
02/18	02/08/2018	101959	Interon LLC	City Cameras Service	3036	382.25	382.25
Total 101959:							1,266.43
02/18	02/08/2018	101960	Jessica Morfin	Pre-employment Uniform P	111-8085006-0881	29.39	29.39
02/18	02/08/2018	101960	Jessica Morfin	Pre-employment Uniform P	18457	122.74	122.74
02/18	02/08/2018	101960	Jessica Morfin	Pre-employment Uniform P	200829266	78.74	78.74
Total 101960:							230.87
02/18	02/08/2018	101961	Joe Delia	Pre-employment Polygraph	2017-10-021	200.00	200.00
Total 101961:							200.00
02/18	02/08/2018	101962	John Deere Financial	Backhoe Lease Payments	1949558	1,162.04	1,162.04
02/18	02/08/2018	101962	John Deere Financial	Excavator lease	1951899	2,596.24	2,596.24

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
Total 101962:							3,758.28
02/18	02/08/2018	101963	Karl's Hardware	Misc Repairs	37191 013118	250.00	250.00
Total 101963:							250.00
02/18	02/08/2018	101964	Kern County	Cross Connections	IN0409669	1,113.20	1,113.20
Total 101964:							1,113.20
02/18	02/08/2018	101965	Kieffe & Sons Ford	Unit 328 Battery replaceme	32427	925.30	925.30
02/18	02/08/2018	101965	Kieffe & Sons Ford	Unit 321 Key	33002	223.66	223.66
Total 101965:							1,148.96
02/18	02/08/2018	101966	KME Fire Apparatus	Vehicle Maint.	CA542922	5,566.95	5,566.95
02/18	02/08/2018	101966	KME Fire Apparatus	Vehicle Maint.	CA542923	1,102.03	1,102.03
02/18	02/08/2018	101966	KME Fire Apparatus	Vehicle Maint.	FC 123117	8.89	8.89
Total 101966:							6,677.87
02/18	02/08/2018	101967	M & S Security Services	Alarm Maint/Service	15499	450.00	450.00
Total 101967:							450.00
02/18	02/08/2018	101968	M&M's Sports, Uniforms And	Youth Basketball Jerseys	40522	776.38	776.38
Total 101968:							776.38
02/18	02/08/2018	101969	Martha's Cleaning Service	City Hall Cleaning	1557	320.00	320.00
02/18	02/08/2018	101969	Martha's Cleaning Service	City Hall Cleaning	1598	320.00	320.00
02/18	02/08/2018	101969	Martha's Cleaning Service	PD Monthly Cleaning	1599	400.00	400.00
Total 101969:							1,040.00
02/18	02/08/2018	101970	Merchant's Printing & Envelo	Printing Services	680814	220.25	220.25
Total 101970:							220.25
02/18	02/08/2018	101971	Middleton, Keith	Travel Expense - Banking	013118	33.14	33.14
Total 101971:							33.14
02/18	02/08/2018	101972	Mission Uniform Service	Laundry Service PD	506612166	52.57	52.57
02/18	02/08/2018	101972	Mission Uniform Service	Laundry Service PD	506657600	53.98	53.98
02/18	02/08/2018	101972	Mission Uniform Service	Laundry Service PD	506705483	52.57	52.57
Total 101972:							159.12
02/18	02/08/2018	101973	Modular Space Corp.	Storage Facility	502301184	449.49	449.49
Total 101973:							449.49
02/18	02/08/2018	101974	Mojave Desert News	Legal Notice Planning	50248	54.75	54.75
02/18	02/08/2018	101974	Mojave Desert News	Wings of Hope Display Ad	50265	135.00	135.00
02/18	02/08/2018	101974	Mojave Desert News	Legal Notice	50269	736.01	736.01

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
Total 101974:							925.76
02/18	02/08/2018	101975	Mountain Paint & Auto	Unit 311 Body Work	1822	2,272.96	2,272.96
Total 101975:							2,272.96
02/18	02/08/2018	101976	Municode	Annual Maint Contract	00302187	995.00	995.00
Total 101976:							995.00
02/18	02/08/2018	101977	MuniTemps	Planning Dept Staffing	127965	3,960.00	3,960.00
Total 101977:							3,960.00
02/18	02/08/2018	101978	National Pen Co.	Stylus Pens	109789996	71.63	71.63
Total 101978:							71.63
02/18	02/08/2018	101979	NFPA	Fire Inspector Class & Exa	7175586Y	1,165.50	1,165.50
Total 101979:							1,165.50
02/18	02/08/2018	101980	Norm Hill Aviation	Airport Internet	2848	50.00	50.00
02/18	02/08/2018	101980	Norm Hill Aviation	ACO Internet Services	2849	50.00	50.00
Total 101980:							100.00
02/18	02/08/2018	101981	Office Depot	PD Office Supplies	100563337001	137.30	137.30
02/18	02/08/2018	101981	Office Depot	OHV Office Supplies	100566802001	10.22	10.22
02/18	02/08/2018	101981	Office Depot	OHV Office Supplies	100567067001	53.74	53.74
02/18	02/08/2018	101981	Office Depot	Office Supplies	100918311001	449.01	449.01
02/18	02/08/2018	101981	Office Depot	Office Supplies	100919034001	91.99	91.99
02/18	02/08/2018	101981	Office Depot	Office Supplies	966341182002	11.14	11.14
02/18	02/08/2018	101981	Office Depot	Office Supplies	967524013001	34.35	34.35
02/18	02/08/2018	101981	Office Depot	Office Supplies	967524557001	173.20	173.20
02/18	02/08/2018	101981	Office Depot	Office Supplies	967524558001	471.88	471.88
02/18	02/08/2018	101981	Office Depot	Office Supplies	994538338001	13.21	13.21
02/18	02/08/2018	101981	Office Depot	Office Supplies	994540627001	86.40	86.40
02/18	02/08/2018	101981	Office Depot	Cleaning Supplies	996011471001	265.86	265.86
02/18	02/08/2018	101981	Office Depot	Cleaning Supplies	996012014001	12.86	12.86
02/18	02/08/2018	101981	Office Depot	Cleaning Supplies	996012015001	262.51	262.51
02/18	02/08/2018	101981	Office Depot	Office Supplies	998154210001	227.35	227.35
02/18	02/08/2018	101981	Office Depot	PD Office Supplies	999324518001	33.43	33.43
02/18	02/08/2018	101981	Office Depot	Office Supplies	999324574001	133.46	133.46
02/18	02/08/2018	101981	Office Depot	Office Supplies	999342251001	42.45	42.45
02/18	02/08/2018	101981	Office Depot	Office Supplies	999342333001	14.46	14.46
Total 101981:							2,498.40
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655318	45.01	45.01
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655553	111.22	111.22
02/18	02/08/2018	101982	Palmdale Auto Parts	OHV LE Auto Parts	655643	456.33	456.33
02/18	02/08/2018	101982	Palmdale Auto Parts	OHV LE Auto Parts	655652	6.41	6.41
02/18	02/08/2018	101982	Palmdale Auto Parts	OHV/Ground Operations A	655656	46.13	46.13
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655665	36.29	36.29
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655891	188.16	188.16
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655953	136.51	136.51
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655955	36.25	36.25

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655961	27.42	27.42
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655962	4.93	4.93
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	655984	31.99	31.99
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	656719	30.96	30.96
02/18	02/08/2018	101982	Palmdale Auto Parts	OHV LE Auto Parts	657102	231.38	231.38
02/18	02/08/2018	101982	Palmdale Auto Parts	PD Auto Parts and Supplies	657411	3.42	3.42
02/18	02/08/2018	101982	Palmdale Auto Parts	OHV/Ground Operations A	657717	134.92	134.92
Total 101982:							1,527.33
02/18	02/08/2018	101983	Perry, Diane	ACO supplies	76262118182	158.83	158.83
Total 101983:							158.83
02/18	02/08/2018	101984	Petty Cash - Finance	Replenish Petty Cash	012618	195.80	195.80
Total 101984:							195.80
02/18	02/08/2018	101985	Pollardwater	Water Line Supplies	0097418-1	339.77	339.77
02/18	02/08/2018	101985	Pollardwater	Water Line Supplies	0097419	125.05	125.05
Total 101985:							464.82
02/18	02/08/2018	101986	Praxair Distribution Inc	Monthly Rental	80982361	124.20	124.20
Total 101986:							124.20
02/18	02/08/2018	101987	Preferred Towing	Towing	28415	75.00	75.00
Total 101987:							75.00
02/18	02/08/2018	101988	Reliable Air Condit. & Heating	Repairs and Maintenance S	18243	480.00	480.00
Total 101988:							480.00
02/18	02/08/2018	101989	Robertson's	Concrete and Materials	156470	937.37	937.37
Total 101989:							937.37
02/18	02/08/2018	101990	Ronald R Dalzell, DVM	Vaccinations K9	RAIDO 013018	70.00	70.00
02/18	02/08/2018	101990	Ronald R Dalzell, DVM	Raido Prescription Medicin	RAIDO 070417	48.00	48.00
Total 101990:							118.00
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070271	3,858.97	3,858.97
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070274	737.57	737.57
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070275	564.12	564.12
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070276	2,278.56	2,278.56
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070297	246.55	246.55
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070299	582.36	582.36
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070300	319.85	319.85
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070301	762.37	762.37
02/18	02/08/2018	101991	RSI Petroleum	OHV Ground Ops Fuel	1070318	403.07	403.07
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070328	70.08	70.08
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070336	84.26	84.26
02/18	02/08/2018	101991	RSI Petroleum	Code Enf Fuel	1070338	91.47	91.47
02/18	02/08/2018	101991	RSI Petroleum	Fuel	1070345	36.02	36.02

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
Total 101991:							10,035.25
02/18	02/08/2018	101992	S.C. Friends Tire Inc.	Tire Service	33039	724.24	724.24
02/18	02/08/2018	101992	S.C. Friends Tire Inc.	Tire Service	33040	270.76	270.76
02/18	02/08/2018	101992	S.C. Friends Tire Inc.	Tire Service	33061	55.00	55.00
02/18	02/08/2018	101992	S.C. Friends Tire Inc.	Tire Service	33100	35.00	35.00
Total 101992:							1,085.00
02/18	02/08/2018	101993	Santa Fe Winwater Company	WWTP Repair/Maint	009037	2,402.40	2,402.40
Total 101993:							2,402.40
02/18	02/08/2018	101994	SC Communications	Radio Maintenance	6608	668.20	668.20
02/18	02/08/2018	101994	SC Communications	Radio Maintenance	6758	212.36	212.36
02/18	02/08/2018	101994	SC Communications	Radio Maintenance	6966	468.15	468.15
02/18	02/08/2018	101994	SC Communications	Radio Maintenance	98401	301.25	301.25
02/18	02/08/2018	101994	SC Communications	Radio Maintenance	98447	560.00	560.00
02/18	02/08/2018	101994	SC Communications	Radio Equipment Repairs/	98707	330.00	330.00
Total 101994:							2,539.96
02/18	02/08/2018	101995	Senior Association of Californ	4th Quarter Reimbursemen	123117	2,429.01	2,429.01
Total 101995:							2,429.01
02/18	02/08/2018	101996	SHI International Corp	Monitors	B07594319	308.86	308.86
02/18	02/08/2018	101996	SHI International Corp	Monitors	B07609748	222.70	222.70
Total 101996:							531.56
02/18	02/08/2018	101997	Sirchie Fingerprint Labs	Protective Equipment	0333367-IN	150.51	150.51
02/18	02/08/2018	101997	Sirchie Fingerprint Labs	Protective Equipment	0334436-IN	638.32	638.32
Total 101997:							788.83
02/18	02/08/2018	101998	Staples Advantage	Finance Office Supplies	1618664862	1,302.65	1,302.65
Total 101998:							1,302.65
02/18	02/08/2018	101999	Statewide Safety & Signs	OHV Signs	12006190	231.66	231.66
02/18	02/08/2018	101999	Statewide Safety & Signs	OHV Vests	12006533	68.52	68.52
02/18	02/08/2018	101999	Statewide Safety & Signs	Street Signs, Barriers, Cone	12006779	1,678.47	1,678.47
Total 101999:							1,978.65
02/18	02/08/2018	102000	Stockwell, Robert	Site Visit Xtreme	TRAVEL 020318	288.41	288.41
Total 102000:							288.41
02/18	02/08/2018	102001	Stroh MD, John Jay	Compensation	011518	1,500.00	1,500.00
Total 102001:							1,500.00
02/18	02/08/2018	102002	TransUnion Risk & Alternativ	Evidence Research Tool	213800 020118	435.81	435.81
Total 102002:							435.81

GL Period	Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount	Check Amount
02/18	02/08/2018	102003	TurboData Systems	Citation Processing Service	27252	1,365.85	1,365.85
Total 102003:							1,365.85
02/18	02/08/2018	102004	United Rentals	Equipment Rental	153689261-002	1,811.71	1,811.71
Total 102004:							1,811.71
02/18	02/08/2018	102005	Williams Construction	Progress Payment 2 Pool H	2	38,760.00	38,760.00
Total 102005:							38,760.00
02/18	02/08/2018	102006	Zee Medical	City Hall First Aid Supplies	34-224834	132.35	132.35
02/18	02/08/2018	102006	Zee Medical	First Aid Supplies	34-224845	156.64	156.64
Total 102006:							288.99
02/18	02/08/2018	102007	Diamond Finish Mobile Wash	Mobile Car Wash	112	195.00	195.00
02/18	02/08/2018	102007	Diamond Finish Mobile Wash	Mobile Car Wash	113	255.00	255.00
Total 102007:							450.00
02/18	02/08/2018	102008	Kern County Clerk	Processing fee	020718	50.00	50.00
Total 102008:							50.00
02/18	02/08/2018	102009	General Office Prod Ctr	Meter read charge and mai	12640	184.14	184.14
Total 102009:							184.14
02/18	02/08/2018	102010	Palmdale Auto Parts	Fire Vehicle Maint Supplies	657024	11.40	11.40
02/18	02/08/2018	102010	Palmdale Auto Parts	Fire Vehicle Maint Supplies	657178	99.33	99.33
02/18	02/08/2018	102010	Palmdale Auto Parts	Fire Vehicle Maint Supplies	657987	20.97	20.97
Total 102010:							131.70
02/18	02/08/2018	102012	Centrisys Centrifuge Systems	Annual Maint Contract - Shu	PSI 19354	863.72	863.72
02/18	02/08/2018	102012	Centrisys Centrifuge Systems	Annual Maint Contract - Shu	PSI 19380	643.04	643.04
Total 102012:							1,506.76
02/18	02/08/2018	120011	Charter Communications	Police Basic Internet Pro 10	11143012118	1,261.83	1,261.83
Total 120011:							1,261.83
Grand Totals:							691,236.91

I HEREBY CERTIFY AS TO THE ACCURACY OF THE DEMANDS AND AVAILABILITY OF FUNDS:

Dated: 2/8/18Finance Director Jaime B. Williams, Accountant

CITY COUNCIL

February 13, 2018

TO: Mayor and City Council

FROM: Joe Barragan Building Official

SUBJECT: Resolution to restrict the expenditure of certain forfeited funds

.....
BACKGROUND:

In order to satisfy California Building Codes that pertain to diverting at least 65% of all construction and demolition trash; City Staff uses Resolution Number 04-07-2262 to require a maintenance deposit. This deposit is used to ensure that the trash, from construction and demolition projects, is disposed of properly. When building permit applicants do not dispose of the trash properly the applicants forfeits their construction and demolition (C&D) deposit. Following the suggestion of CalRecycle Representatives, City Staff concurs and recommends to the City Council that forfeited funds to be restricted and be used for trash clean-up activities in the City.

RECOMMENDATION:

City Staff recommends that City Council approve the Resolution to allow C&D Forfeited Funds to be restricted and used for trash clean-up activities in the City and authorize the finance department to setup an expenditure account under fund 10-02088.

FISCAL IMPACT:

Currently, there is approximately \$20,000 of forfeited funds.

ENVIRONMENTAL ACTION:

There is a potential for this resolution to have a positive environmental impact when the forfeited funds are used to clean up the City.

The Finance Department has reviewed the staff report and finds the recommendations to be within the budget constraints of the Department.

CC2.

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CALIFORNIA CITY RESTRICTING THE
EXPENDITURE OF CERTAIN FORFEITED FUNDS**

WHEREAS, section 6-10.106(c) of the California City Municipal Code requires those seeking to obtain a building or demolition permit to first deposit funds with the City that are returned upon proof that the permittee recycled the required amount of material generated by the project; and

WHEREAS, section 6-10.106(c) provides that if that the permittee fails to provide this requisite proof, the deposited funds are forfeited to the City; and

WHEREAS, the City Council finds that while these forfeited funds are deposited into the general fund, their expenditure are restricted to funding trash clean-up activities in the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. All of the above findings are true and correct.

SECTION 2. It shall be the policy of California City that all funds forfeited to the City under section 6-10.106(c) of the California City Municipal Code shall only be expended on activities that involve trash clean-up activities within California City.

PASSED, APPROVED AND ADOPTED this 13th day of February 2018 by the following roll call vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Jennifer Wood, Mayor

ATTEST:

Denise Hilliker, City Clerk

CITY COUNCIL

Date of Meeting: February 13, 2018

TO: Mayor and City Council

FROM: Mayor Jennifer Wood

SUBJECT: Authorization to attend 2018 CALED Annual Conference

.....
BACKGROUND

The California Association for Local Economic Development (CALED) mission is dedicated to advancing its members' ability to achieve excellence in delivering economic development services to their communities and business clients. CALED's membership consists of public and private organizations and individual involved in the economic development: the business of creating and retaining jobs.

Laurel Shockley, Economic Development Consultant to Southern California Edison, contacted me and asked if I would participate on a panel on Thursday on the Cannabis industry at their annual conference in Monterrey. Others contacted to participate include: Gary Corlett, PE, CEM CWEP, Engineering Design Solution, Energy Analysis and Customer Outreach _ Business Customer Division; Richard Parrott – Director of the CA Dept. of Food and Ag- Cal Cannabis Cultivation Licensing Division; and Dustin McDonald, Vice President of Government Relations, WeedMaps.

The conference will be at the Monterey Marriott Hotel and Conference Center March 14 – 16th. I am not requesting to attend the full conference, only to attend the panel on March 16th and to cover travel, per diem and one night's hotel accommodation. The drive is 5 hours and 13 minutes which would make for a very long day if I were to return the same day.

Anticipated expenses are included on Attachment 1 and total approximately \$533

RECOMMENDATION

Council approve participation as described above for Mayor Jennifer Wood to attend.

FISCAL IMPACT

Expenses identified on attachment of approximately \$533 from line item 10-4111-230. The December 31, 2017 balance is approximately \$4,600.

The Finance Department has reviewed the staff report and finds the recommendations to be within the budget constraints of the Department.

ENVIROMENTAL IMPACT

N/A

ATTACHMENT 1

2108 CALED Annual Conference - Mayor Wood
Monterey Marriott Hotel and Conference Center
350 Calle Principal
Monterey, CA 93940

March 14 – 16, 2018

Mileage round trip (approximately 582 miles at 54.5 cents per mile (2018 IRS Mileage)) =
\$317.19

Hotel Per-diem – **GSA Monterrey March rate \$142** (May be higher if unable to find room at this rate.

M & I - **\$74.00**

Total estimated expense \$533

10:00
Time left to complete the page.
I need more time

**California Association for
Local Economic Development**

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2018 CALED Annual Conference Speakers/Moderators | Registration

You do not need to log into your CALED membership profile in order to register for the 38th Annual Training Conference. Non-Members may register for this event as well. You may proceed by completing the registration form. Please be sure to complete all required fields for each attendee. A separate registration form will need to be completed for each person attending as a speaker/moderator. Thank you.

Attendee Info	Attendee Selections
Please select one of the following (required)	
<input checked="" type="radio"/> \$0 Speaker/Moderator 1-Day or Session Only (more)	Price: \$0.00
<input type="radio"/> \$595 Moderator/Speaker Full Conference (more)	Price: \$595.00
Please select any of the following (optional)	
<input type="checkbox"/> \$15 CALED Fun Run & T-Shirt (March 16, 2018) (more)	Price: \$15.00
<input type="checkbox"/> \$35 Conference Culinary Crawl (March 15, 2018) (more)	Price: \$35.00
<input type="checkbox"/> \$40 Fort Ord Tour - March 16, 2018 (more)	Price: \$40.00
<div><div>Save & Add Another Attendee</div><div>Save & Finalize Registration</div></div>	

CITY COUNCIL

Date of Meeting: February 13, 2018

TO: Mayor and City Council

FROM: Eric Hurtado, Police Chief

SUBJECT: Purchase of Pickup Truck for the G16 Ground Operations Grant

.....
BACKGROUND

The OHV Recreation Program applied for and received a ground operations grant and law enforcement grant for the 2017-2018 riding season. Last year the city council approved the resolution for the grants and also approved the budgets for the grants. Consequently, this staff report is on the consent calendar for the council to be aware of the projects and purchases required by the grant line items. The ground operations grant allows for the purchase of a 4-wheel drive/4 door pickup truck at a cost of no more than \$33,000. The following dealerships were contacted for quotes and Kieffe & Sons Ford gave the lowest bid.

AV Ford – 4X4 F150 – \$32,334.76

Kieffe & Sons Ford – 4X4 F150 – \$32,188.68

Jim Charlon Ford – 4X4 F150 – \$33,869.55

RECOMMENDATION

Purchase a Ford F150 4 door Crew Cab 4-Wheel Drive from Kieffe & Sons Ford at a cost of \$32,188.68 from 16-4233-740.

FISCAL IMPACT

\$32,188.68 from Grant Reimbursable fund 16-4233-740. The current amount available in 16-4233-740 is 33,000.

The Finance Department has reviewed the staff report and finds the recommendations to be within the budget constraints of the Department.

ENVIROMENTAL IMPACT

N/A

Attachments: Quotes

CCH.

Invoice/Quote

Antelope Valley Ford

1155 Auto Mall Dr
Lancaster, CA 93534
Phone: (661)949-3586
Fax: (661)945-3066

DATE: January 24, 2018

INVOICE # 100

FOR:

BILL TO: Name
CITY OF CALIFORNIA CITY

DESCRIPTION	AMOUNT
1-NEW FORD F-150 4X4 CREW CAB XL PKG 157" WB	
all std features,	\$ 30,027.00
REAR WINDOWS LIMO TINT	
W1E F150 4X4 CREW	
157" WHEELBASE	
YZ OXFORD WHITE	422 FRT LICENSE BKT
A VINYL 40/20/40	53A CALIF EMISSIONS
G MED EARTH GRAY	794 TRAILER TOW PKG
100A EQUIP GRP	PRICE CONCESSN
.XL SERIES	REMARKS TRAILER
.17"SILVER STEEL	96W SPRAY- IN LINER
995 5.0L V8 FFV ENG	
44G ELEC 10-SPDAUTO	
T7C LT245/70R17E AT TIRES	
X27 3.31 REG AXLE	
LT CAPABILITY	
7050# GVWR	
estimate 10 to 12 weeks for delivery from time of order	
DMV EXEMPT	

Make all checks payable to Antelope Valley Ford. If you have any questions concerning this invoice/quote, contact Bob Heninger @ (661) 949-3586 ext 302
THANK YOU FOR YOUR BUSINESS!

THANK YOU FOR YOUR BUSINESS!

SUBTOTAL	\$	30,027.00
TAX RATE		7.25%
SALES TAX		2,182.76
lic fee/lic fees		125.00
TOTAL	\$	32,334.76

CNGP530

VEHICLE ORDER CONFIRMATION

01/24/18 19:16:52

Dealer: F71446

Page: 1 of 2

Order No: 4081 Priority: D1 Ord FIN: QB788 Order Type: 5B Price Level: 820

Ord PEP: 100A Cust/Flt Name: CITY OF CALIF PO Number:

RETAIL

RETAIL

W1E F150 4X4 CREW \$39915

JOB #2 ORDER

157" WHEELBASE

FRT LICENSE BKT NC

YZ OXFORD WHITE

422 CALIF EMISSIONS NC

A VINYL 40/20/40 NC

53A TRAILER TOW PKG 595

G MED EARTH GRAY

794 PRICE CONCESSION

100A EQUIP GRP

REMARKS TRAILER

.XL SERIES

96W SPRAY- IN LINER 495

.17" SILVER STEEL

995 5.0L V8 FFV ENG NC

TOTAL BASE AND OPTIONS 42695

44G ELEC 10-SPDAUTO

TOTAL 42695

T7C LT245/70R17E

295 ALL TERRAIN

THIS IS NOT AN INVOICE

X27 3.31 REG AXLE NC

*TOTAL PRICE EXCLUDES COMP PR

LT CAPABILITY

7050# GVWR

* MORE ORDER INFO NEXT PAGE *

Auto/Mate Co# 01 SubCo 00000

F&I Deal Info

Deal# 0007453

DLENTY

Buyer CITY OF CALIFORNIA CITY

(Last;1st-?)

LenderCd CASH ?=HLP Stock#

?=HLP

N/U/D/W N

TaxState CA

Slstx

LuxTx N 7.250 %

Price & Down Payment

Selling Price 29994.81

Trade Allowance .00

Less Payoff .00

Cash Deposit .00

Cash on Delivery 32188.68

Rebate Total .00

Deferred Pmt Total .00

Finance Terms

Term of Loan 1 Interval 01 (?=Lst)

Rate/APR 0.000000 29994

DaysTo1st 10 SaleDate 1/24/2018

FirstPay 2/3/2018

Service Contract Total .00

Accessory Total .00

Fee Total 19.25

Insurance

GAP

Insur Co CD

GAP INSURANCE

CreditLife N (S/J/N)

Amount .00

Acc&Health N (Y/N)

Taxed N (Y/N)

GAP TaxRt 7.250 %

Deal Recap

TotCash 32188.68 TotTax 2174.62

TotDown 32188.68 AmiFin .00

CASH

CA..PP:N OOS:N 93505

Lease

MSRP Amount .00

Residual Percent% .00

or Amount .00

PAYMENT AMOUNT IS

Drive Off Amt Due

32188.68

Save

Skip

Gross

Discl

Jump

Oth

ScAccFeeRebPy

\$32188.68 out the door

Kieffe & Sons Ford
 16400 Sierra Highway
 Mojave, CA 93501
 (661) 824-2477

Bill Willingham

al Summary

te 01/26/18

ip1

les Mgr

l. Inst.

yer

dress

CASH
CALIFORNIA CITY

Deal #

Slsp2

F&I Mgr

Program Normal

Co-Buyer

Stock #

Vehicle

Trade1

Trade2

Trade3

Sales Price

MSRP

Discount

Selling Price

Aftermarkets

Doc Fee

VSI Premium

ESC Premium

Maintenance

GAP Premium

LAH/TUI

Prior Lease Balance

Total Fees

Total Taxes

Total Price

Down Payment

Customer Cash

Deposit

Total Rebates

Total Trade Allow

Total Trade Payoff

Total Net Trade

Total Deferred Down

Total Down Payment

Deferred Down Payments

Deferred

P1

P2

P2

Irregular

Payment(s)

of Payment(s)

One Pay

of Days

Payment

Term

Sell Rate

AOR

Days 1st Payment

Payments Per Year

Prepaid Finance Charge

APR

Amount Financed

Finance Charge

Total of Payments

Total Sales Price

Payment

1st Payment Date

Final Payment

Final Payment Due

1

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30

12

0

0.0000

\$33,869.55

\$0

\$33,869.55

\$33,869.55

\$33,869.55

02/25/2018

\$0

02/25/2018

Includes
Dark window
tint

Del Charlan-760793-2390

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY SUPPORTING
THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018.

WHEREAS, protecting every person in our state, including our most vulnerable children, from violent crime is of the utmost importance. Murderers, rapists, child molesters and other violent criminals should not be released early from prison; and

WHEREAS, since 2014, California has had a larger increase in violent crime than the rest of the United States. Since 2013, violent crime in Los Angeles has increased 69.5%. Violent crime in Sacramento rose faster during the first six months of 2015 than in any of the 25 largest U.S. cities tracked by the FBI; and

WHEREAS, The FBI Preliminary Semiannual Uniform Crime Report for 2017, which tracks crimes committed during the first six months of the past year in U. S. cities with populations over 100,000, indicates that last year violent crime increased again in most of California's largest cities.

WHEREAS, recent changes to parole laws allowed the early release of dangerous criminals by the law's failure to define certain crimes as "violent." These changes allowed individuals convicted of sex trafficking of children, rape of an unconscious person, felony assault with a deadly weapon, battery on a police officer or firefighter, and felony domestic violence to be considered "nonviolent offenders."; and

WHEREAS, as a result, these so-called "non-violent" offenders are eligible for early release from prison after serving only a fraction of the sentence ordered by a judge; and

WHEREAS, violent offenders are also being allowed to remain free in our communities even when they commit new crimes and violate the terms of their post release community supervision, like the gang member charged with the murder of Whittier Police Officer, Keith Boyer; and

WHEREAS, this measure reforms the law so felons who violate the terms of their release can be brought back to court and held accountable for such violations; and

WHEREAS, nothing in this act is intended to create additional "strike" offenses which would increase the state prison population, nor is it intended to affect the ability of the California Department of Corrections and Rehabilitation to award educational and merit credits; and

WHEREAS, recent changes to California law allow individuals who steal repeatedly to face few consequences, regardless of their criminal record or how many times they steal; and

WHEREAS, as a result, between 2014 and 2016, California had the 2nd highest increase in theft and property crimes in the United States, while most states have seen a steady decline. According to the California Department of Justice, the value of property stolen in 2015 was \$2.5 billion with an increase of 13 percent since 2014, the largest single-year increase in at least ten years; and

WHEREAS, grocery store operators around the state have seen unprecedented increases in the amount of losses associated with shoplifting in their stores, with some reporting up to 150% increases in these losses from 2012 to present, with the largest jumps occurring since 2014; and

WHEREAS, shoplifting incidents have started to escalate in such a manner that have endangered innocent customers and employees; and

CC5.

WHEREAS, individuals who repeatedly steal often do so to support their drug habit. Recent changes to California law have reduced judges' ability to order individuals convicted of repeated theft crimes into effective drug treatment programs; and

WHEREAS, California needs stronger laws for those who are repeatedly convicted of theft related crimes, which will encourage those who repeatedly steal to support their drug problem to enter into existing drug treatment programs. This measure enacts such reforms; and

WHEREAS, collecting DNA from criminals is essential to solving violent crimes. Over 450 violent crimes including murder, rape and robbery have gone unsolved because DNA is being collected from fewer criminals; and

WHEREAS, DNA collected in 2015 from a convicted child molester solved the rape-murders of two six-year-old boys that occurred three decades ago in Los Angeles County. DNA collected in 2016 from an individual caught driving a stolen car solved the 2012 San Francisco Bay Area rape/murder of an 83-year-old woman; and

WHEREAS, recent changes to California law unintentionally eliminated DNA collection for theft and drug crimes. This measure restores DNA collection from persons convicted for such offenses; and

WHEREAS, permitting collection of more DNA samples will help identify suspects, clear the innocent and free the wrongly convicted, and

WHEREAS, this measure does not affect existing legal safeguards that protect the privacy of individuals by allowing for the removal of their DNA profile if they are not charged with a crime, are acquitted or are found innocent.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of California City herby supports the Reducing Crime and Keeping California Safe Act of 2018.

PASSED, APPROVED AND ADOPTED this 13th day of February 2018 by the following roll call vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Jennifer Wood - Mayor

ATTEST:

Denise Hilliker
City Clerk

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

(17-0044.) RESTRICTS PAROLE FOR NON-VIOLENT OFFENDERS. AUTHORIZES FELONY SENTENCES FOR CERTAIN OFFENSES CURRENTLY TREATED ONLY AS MISDEMEANORS. INITIATIVE STATUTE. Imposes restrictions on parole program for non-violent offenders who have completed the full term for their primary offense. Expands list of offenses that disqualify an inmate from this parole program. Changes standards and requirements governing parole decisions under this program. Authorizes felony charges for specified theft crimes currently chargeable only as misdemeanors, including some theft crimes where the value is between \$250 and \$950. Requires persons convicted of specified misdemeanors to submit to collection of DNA samples for state database. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increased state and local correctional costs likely in the tens of millions of dollars annually, primarily related to increases in penalties for certain theft-related crimes and the changes to the nonviolent offender release consideration process. Increased state and local court-related costs of around a few million dollars annually related to processing probation revocations and additional felony theft filings. Increased state and local law enforcement costs not likely to exceed a couple million dollars annually related to collecting and processing DNA samples from additional offenders.

To the Honorable Secretary of State of California:

We, the undersigned, registered, qualified voters of the County (or City and County) referenced on the signature page of this petition, hereby propose amendments to the California Penal Code relating to parole, serial theft, and DNA collection from convicted criminals, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or as otherwise provided by law. The proposed statutory amendments (full title and text of the measure) read as follows:

SEC. 1. TITLE

This act shall be known and may be cited as the Reducing Crime and Keeping California Safe Act of 2018.

SEC. 2. PURPOSES

This measure will fix three related problems created by recent laws that have threatened the public safety of Californians and their children from violent criminals. This measure will:

- A. Reform the parole system so violent felons are not released early from prison, strengthen oversight of post release community supervision and tighten penalties for violations of terms of post release community supervision;
- B. Reform theft laws to restore accountability for serial thieves and organized theft rings; and
- C. Expand DNA collection from persons convicted of drug, theft and domestic violence related crimes to help solve violent crimes and exonerate the innocent.

SEC. 3. FINDINGS AND DECLARATIONS

- A. Prevent Early Release of Violent Felons
 1. Protecting every person in our state, including our most vulnerable children, from violent crime is of the utmost importance. Murderers, rapists, child molesters and other violent criminals should not be released early from prison.
 2. Since 2014, California has had a larger increase in violent crime than the rest of the United States. Since 2013, violent crime in Los Angeles has increased 69.5%. Violent crime in Sacramento rose faster during the first six months of 2015 than in any of the 25 largest U.S. cities tracked by the FBI.
 3. Recent changes to parole laws allowed the early release of dangerous criminals by the law's failure to define certain crimes as "violent." These changes allowed individuals convicted of sex trafficking of children, rape of an unconscious person, felony assault with a deadly weapon, battery on a police officer or firefighter, and felony domestic violence to be considered "non-violent offenders."
 4. As a result, these so-called "non-violent" offenders are eligible for early release from prison after serving only a fraction of the sentence ordered by a judge.
 5. Violent offenders are also being allowed to remain free in our communities even when they commit new crimes and violate the terms of their post release community supervision, like the gang member charged with the murder of Whittier Police Officer, Keith Boyer.
 6. Californians need better protection from such violent criminals.
 7. Californians need better protection from felons who repeatedly violate the terms of their post release community supervision.
 8. This measure reforms the law so felons who violate the terms of their release can be brought back to court and held accountable for such violations.
 9. Californians need better protection from such

violent criminals. This measure reforms the law to define such crimes as "violent felonies" for purposes of early release.

10. Nothing in this act is intended to create additional "strike" offenses which would increase the state prison population.

11. Nothing in this act is intended to affect the ability of the California Department of Corrections and Rehabilitation to award educational and merit credits.

B. Restore Accountability for Serial Theft and Organized Theft Rings

1. Recent changes to California law allow individuals who steal repeatedly to face few consequences, regardless of their criminal record or how many times they steal.
2. As a result, between 2014 and 2016, California had the 2nd highest increase in theft and property crimes in the United States, while most states have seen a steady decline. According to the California Department of Justice, the value of property stolen in 2015 was \$2.5 billion with an increase of 13 percent since 2014, the largest single-year increase in at least ten years.

3. Individuals who repeatedly steal often do so to support their drug habit. Recent changes to California law have reduced judges' ability to order individuals convicted of repeated theft crimes into effective drug treatment programs.

4. California needs stronger laws for those who are repeatedly convicted of theft related crimes, which will encourage those who repeatedly steal to support their drug problem to enter into existing drug treatment programs. This measure enacts such reforms.

C. Restore DNA Collection to Solve Violent Crime

1. Collecting DNA from criminals is essential to solving violent crimes. Over 450 violent crimes including murder, rape and robbery have gone unsolved because DNA is being collected from fewer criminals.
2. DNA collected in 2015 from a convicted child molester solved the rape-murders of two six-year-old boys that occurred three decades ago in Los Angeles County. DNA collected in 2016 from an individual caught driving a stolen car solved the 2012 San Francisco Bay Area rape-murder of an 83-year-old woman.
3. Recent changes to California law unintentionally eliminated DNA collection for theft and drug crimes. This measure restores DNA collection from persons convicted for such offenses.
4. Permitting collection of more DNA samples will help identify suspects, clear the innocent and free the wrongly convicted.
5. This measure does not affect existing legal safeguards that protect the privacy of individuals by allowing for the removal of their DNA profile if they are not charged with a crime, are acquitted or are found innocent.

SEC. 4. PAROLE CONSIDERATION

Section 3003 of the Penal Code is amended to read: [language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout~~ type]

(a) Except as otherwise provided in this section, an inmate who is released on parole or postrelease supervision as provided by Title 2.05 (commencing with Section 3450) shall be returned to the county that was the last legal residence of the inmate prior to his or her incarceration. For purposes of this subdivision, "last legal residence" shall not be construed to mean the county wherein the inmate committed an offense while confined in a state prison or local jail facility or while confined for treatment in a state hospital.

(b) Notwithstanding subdivision (a), an inmate may be returned to another county if that would be in the best interests of the public. If the Board of Parole Hearings setting the conditions of parole for inmates sentenced pursuant to subdivision (b) of Section 1168, as determined by the parole consideration panel, or the Department of Corrections and Rehabilitation setting the conditions of parole for inmates sentenced pursuant to Section 1170, decides on a return to another county, it shall place its reasons in writing in the parolee's permanent record and include these reasons in the notice to the sheriff or chief of police pursuant to Section 3058.6. In making its decision, the paroling authority shall consider, among others, the following factors, giving the greatest weight to the protection of the victim and the safety of the community:

- (1) The need to protect the life or safety of a victim, the parolee, a witness, or any other person.
- (2) Public concern that would reduce the chance that the inmate's parole would be successfully completed.
- (3) The verified existence of a work offer, or an educational or vocational training program.
- (4) The existence of family in another county with whom the inmate has maintained strong ties and whose support would increase the chance that the inmate's parole would be successfully completed.
- (5) The lack of necessary outpatient treatment programs for parolees receiving treatment pursuant to Section 2960.
- (c) The Department of Corrections and Rehabilitation, in determining an out-of-county commitment, shall give priority to the safety of the community and any witnesses and victims.
- (d) In making its decision about an inmate who participated in a joint venture program pursuant to Article 1.5 (commencing with Section 2717.1) of Chapter 5, the paroling authority shall give serious consideration to releasing him or her to the county where the joint venture program employer is located if that employer states to the paroling authority that he or she intends to employ the inmate upon release.
- (e)(1) The following information, if available, shall be released by the Department of Corrections and Rehabilitation to local law enforcement agencies regarding a paroled inmate or inmate placed on postrelease community supervision pursuant to Title 2.05 (commencing with Section 3450) who is released in their jurisdictions:
 - (A) Last, first, and middle names.
 - (B) Birth date.
 - (C) Sex, race, height, weight, and hair and eye color.
 - (D) Date of parole or placement on postrelease community supervision and discharge.

(E) Registration status, if the inmate is required to register as a result of a controlled substance, sex, or arson offense.

(F) California Criminal Information Number, FBI number, social security number, and driver's license number.

(G) County of commitment.

(H) A description of scars, marks, and tattoos on the inmate.

(I) Offense or offenses for which the inmate was convicted that resulted in parole or postrelease community supervision in this instance.

(J) Address, including all of the following information:

(i) Street name and number. Post office box numbers are not acceptable for purposes of this subparagraph.

(ii) City and ZIP Code.

(iii) Date that the address provided pursuant to this subparagraph was proposed to be effective.

(K) Contact officer and unit, including all of the following information:

(i) Name and telephone number of each contact officer.

(ii) Contact unit type of each contact officer such as units responsible for parole, registration, or county probation.

(L) A digitized image of the photograph and at least a single digit fingerprint of the parolee.

(M) A geographic coordinate for the inmate's residence location for use with a Geographical Information System (GIS) or comparable computer program.

(N) Copies of the record of supervision during any prior period of parole.

(2) Unless the information is unavailable, the Department of Corrections and Rehabilitation shall electronically transmit to the county agency identified in subdivision (a) of Section 3451 the inmate's tuberculosis status, specific medical, mental health, and outpatient clinic needs, and any medical concerns or disabilities for the county to consider as the offender transitions onto postrelease community supervision pursuant to Section 3450, for the purpose of identifying the medical and mental health needs of the individual. All transmissions to the county agency shall be in compliance with applicable provisions of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Public Law 104-191), the federal Health Information Technology for Clinical Health Act (HITECH) (Public Law 111-005), and the implementing of privacy and security regulations in Parts 160 and 164 of Title 45 of the Code of Federal Regulations. This paragraph shall not take effect until the Secretary of the United States Department of Health and Human Services, or his or her designee, determines that this provision is not preempted by HIPAA.

(3) Except for the information required by paragraph (2), the information required by this subdivision shall come from the statewide parolee database. The information obtained from each source shall be based on the same timeframe.

(4) All of the information required by this subdivision shall be provided utilizing a computer-to-computer transfer in a format usable by a desktop computer system. The transfer of this information shall be continually available to local law enforcement agencies upon request.

(5) The unauthorized release or receipt of the information described in this subdivision is a violation of Section 11143.

(f) Notwithstanding any other law, an inmate who is released on parole shall not be returned to a location within 35 miles of the actual residence of a victim of, or a witness to, a violent felony as defined in paragraphs (h) to (j), inclusive, and paragraph (16) of subdivision (c) of Section 667.5 or a felony in which the defendant inflicts great bodily injury on a person other than an accomplice that has been charged and proved as provided for in Section 12022.53, 12022.7, or 12022.9, if the victim or witness has requested additional distance in the placement of the inmate on parole, and if the Board of Parole Hearings or the Department of Corrections and Rehabilitation finds that there is a need to protect the life, safety, or well-being of a victim or witness: the victim or witness, an inmate who is released on parole, shall not be returned to a location within 35 miles of the actual residence of a victim of, or a witness to, any of the following crimes:

(1) A violent felony as defined subdivision (c) of Section 667.5 or subdivision (a) of Section 3040.1.

(2) A felony in which the defendant inflicts great bodily injury on a person other than an accomplice, that has been charged and proved as provided for in Section 12022.53, 12022.7, or 12022.9.

(g) Notwithstanding any other law, an inmate who is released on parole for a violation of Section 288 or 288.5 whom the Department of Corrections and

shall not be placed or reside, for the duration of his or her parole, within one-half mile of a public or private school including any or all of kindergarten and grades 1 to 12, inclusive.

(h) Notwithstanding any other law, an inmate who is released on parole or postrelease community supervision for a stalking offense shall not be returned to a location within 35 miles of the victim's or witness' actual residence or place of employment if the victim or witness has requested additional distance in the placement of the inmate on parole or postrelease community supervision, and if the Board of Parole Hearings or the Department of Corrections and Rehabilitation, or the supervising county agency, as applicable, finds that there is a need to protect the life, safety, or well-being of the victim. If an inmate who is released on postrelease community supervision cannot be placed in his or her county of last legal residence in compliance with this subdivision, the supervising county agency may transfer the inmate to another county upon approval of the receiving county.

(i) The authority shall give consideration to the equitable distribution of parolees and the proportion of out-of-county commitments from a county compared to the number of commitments from that county when making parole decisions.

(j) An inmate may be paroled to another state pursuant to any other law. The Department of Corrections and Rehabilitation shall coordinate with local entities regarding the placement of inmates placed out of state on postrelease community supervision pursuant to Title 2.05 (commencing with Section 3450).

(k)(1) Except as provided in paragraph (2), the Department of Corrections and Rehabilitation shall be the agency primarily responsible for, and shall have control over, the program, resources, and staff implementing the Law Enforcement Automated Data System (LEADS) in conformance with subdivision (e). County agencies supervising inmates released to postrelease community supervision pursuant to Title 2.05 (commencing with Section 3450) shall provide any information requested by the department to ensure the availability of accurate information regarding inmates released from state prison. This information may include all records of supervision, the issuance of warrants, revocations, or the termination of postrelease community supervision. On or before August 1, 2011, county agencies designated to supervise inmates released to postrelease community supervision shall notify the department that the county agencies have been designated as the local entity responsible for providing that supervision.

(2) Notwithstanding paragraph (1), the Department of Justice shall be the agency primarily responsible for the proper release of information under LEADS that relates to fingerprint cards.

(l) In addition to the requirements under subdivision (k), the Department of Corrections and Rehabilitation shall submit to the Department of Justice data to be included in the supervised release file of the California Law Enforcement Telecommunications System (CLETS) so that law enforcement can be advised through CLETS of all persons on postrelease community supervision and the county agency designated to provide supervision. The data required by this subdivision shall be provided via electronic transfer.

Section 3040.1 is added to the Penal Code to read:

(a) For purposes of early release or parole consideration under the authority of Section 32 of Article I of the Constitution, Sections 12838.4 and 12838.5 of the Government Code, Sections 3000.1, 3041.5, 3041.7, 3052, 5000, 5054, 5055, 5076.2 of this Code and the rulemaking authority granted by Section 5058 of this Code, the following shall be defined as "violent felony offenses":

(1) Murder or voluntary manslaughter;

(2) Mayhem;

(3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262;

(4) Sodomy as defined in subdivision (c) or (d) of Section 286;

(5) Oral copulation as defined in subdivision (c) or (d) of Section 288a;

(6) Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288;

(7) Any felony punishable by death or imprisonment in the state prison for life;

(8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm

subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55;

(9) Any robbery;

(10) Arson, in violation of subdivision (a) or (b) of Section 451;

(11) Sexual penetration as defined in subdivision (a) or (j) of Section 289;

(12) Attempted murder;

(13) A violation of Section 18745, 18750, or 18755;

(14) Kidnapping;

(15) Assault with the intent to commit a specified felony, in violation of Section 220;

(16) Continuous sexual abuse of a child, in violation of Section 288.5;

(17) Carjacking, as defined in subdivision (a) of Section 215;

(18) Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1;

(19) Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22;

(20) Threats to victims or witnesses, as defined in subdivision (c) of Section 136.1;

(21) Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary;

(22) Any violation of Section 12022.53;

(23) A violation of subdivision (b) or (c) of Section 11418;

(24) Solicitation to commit murder;

(25) Felony assault with a firearm in violation of subsections (a)(2) and (b) of Section 245;

(26) Felony assault with a deadly weapon in violation of paragraph (1) of subdivision (a) of Section 245;

(27) Felony assault with a deadly weapon upon the person of a peace officer or firefighter in violation of subdivisions (c) and (d) of Section 245;

(28) Felony assault by means of force likely to produce great bodily injury in violation of paragraph (4) of subdivision (a) of Section 245;

(29) Assault with caustic chemicals in violation of Section 244;

(30) False imprisonment in violation of Section 210.5;

(31) Felony discharging a firearm in violation of Section 246;

(32) Discharge of a firearm from a motor vehicle in violation of subsection (c) of Section 26100;

(33) Felony domestic violence resulting in a traumatic condition in violation of Section 273.5;

(34) Felony use of force or threats against a witness or victim of a crime in violation of Section 140;

(35) Felony resisting a peace officer and causing death or serious injury in violation of Section 148.10;

(36) A felony hate crime punishable pursuant to Section 422.7;

(37) Felony elder or dependent adult abuse in violation of subdivision (b) of Section 368;

(38) Rape in violation of paragraphs (1), (3), or (4) of subdivision (a) of Section 261;

(39) Rape in violation of Section 262;

(40) Sexual penetration in violation of subdivision (b), (d) or (e) of Section 289;

(41) Sodomy in violation of subdivision (f), (g), or (i) of Section 286;

(42) Oral copulation in violation of subdivision (f), (g), or (i) of Section 288a;

(43) Abduction of a minor for purposes of prostitution in violation of Section 267;

(44) Human trafficking in violation of subdivision (a), (b), or (c) of Section 236.1;

(45) Child abuse in violation of Section 273ab;

(46) Possessing, exploding, or igniting a destructive device in violation of Section 18740;

(47) Two or more violations of subsection (c) of Section 451;

(48) Any attempt to commit an offense described in this subdivision;

(49) Any felony in which it is pled and proven that the Defendant personally used a dangerous or deadly weapon;

(50) Any offense resulting in lifetime sex offender registration pursuant to Sections 290 through 290.009.

(51) Any conspiracy to commit an offense described in this Section.

(b) The provisions of this section shall apply to any inmate serving a custodial prison sentence on or after the effective date of this section, regardless of when the sentence was imposed.

Section 3040.2 is added to the Penal Code to read:

(a) Upon conducting a nonviolent offender parole consid-

Hearings shall consider all relevant, reliable information about the inmate.

(b) The standard of review shall be whether the inmate will pose an unreasonable risk of creating victims as a result of felonious conduct if released from prison.

(c) In reaching this determination, the hearing officer shall consider the following factors:

(1) Circumstances surrounding the current conviction;
(2) The inmate's criminal history, including involvement in other criminal conduct, both juvenile and adult, which is reliably documented;

(3) The inmate's institutional behavior including both rehabilitative programming and institutional misconduct;
(4) Any input from the inmate, any victim, whether registered or not at the time of the referral, and the prosecuting agency or agencies;

(5) The inmate's past and present mental condition as documented in records in the possession of the Department of Corrections and Rehabilitation;

(6) The inmate's past and present attitude about the crime;

(7) Any other information which bears on the inmate's suitability for release.

(d) The following circumstances shall be considered by the hearing officer in determining whether the inmate is unsuitable for release:

(1) Multiple victims involved in the current commitment offense;

(2) A victim was particularly vulnerable due to age or physical or mental condition;

(3) The inmate took advantage of a position of trust in the commission of the crime;

(4) The inmate was armed with or used a firearm or other deadly weapon in the commission of the crime;

(5) A victim suffered great bodily injury during the commission of the crime;

(6) The inmate committed the crime in association with a criminal street gang;

(7) The inmate occupied a position of leadership or dominance over other participants in the commission of the crime, or the inmate induced others to participate in the commission of the crime;

(8) During the commission of the crime, the inmate had a clear opportunity to cease but instead continued;

(9) The inmate has engaged in other reliably documented criminal conduct which was an integral part of the crime for which the inmate is currently committed to prison;

(10) The manner in which the crime was committed created a potential for serious injury to persons other than the victim of the crime;

(11) The inmate was on probation, parole, post release community supervision, mandatory supervision or was in custody or had escaped from custody at the time of the commitment offense;

(12) The inmate was on any form of pre- or post-conviction release at the time of the commitment offense;

(13) The inmate's prior history of violence, whether as a juvenile or adult;

(14) The inmate has engaged in misconduct in prison or jail;

(15) The inmate is incarcerated for multiple cases from the same or different counties or jurisdictions.

(e) The following circumstances shall be considered by the hearing officer in determining whether the inmate is suitable for release:

(1) The inmate does not have a juvenile record of assaulting others or committing crimes with a potential of harm to victims;

(2) The inmate lacks any history of violent crime;

(3) The inmate has demonstrated remorse;

(4) The inmate's present age reduces the risk of recidivism;

(5) The inmate has made realistic plans if released or has developed marketable skills that can be put to use upon release;

(6) The inmate's institutional activities demonstrate an enhanced ability to function within the law upon release;

(7) The inmate participated in the crime under partially excusable circumstances which do not amount to a legal defense;

(8) The inmate had no apparent predisposition to commit the crime but was induced by others to participate in its commission;

(9) The inmate has a minimal or no criminal history;

(10) The inmate was a passive participant or played a minor role in the commission of the crime;

(11) The crime was committed during or due to an unusual situation unlikely to reoccur.

Section 3040.3 is added to the Penal Code to read:

(a) An inmate whose current commitment includes a concurrent, consecutive or stayed sentence for an offense or allegation defined as violent by subdivision (c) of

Section 667.5 or 3040.1 shall be deemed a violent offender for purposes of Section 32 of Article I of the Constitution.

(b) An inmate whose current commitment includes an indeterminate sentence shall be deemed a violent offender for purposes of Section 32 of Article I of the Constitution.

(c) An inmate whose current commitment includes any enhancement which makes the underlying offense violent pursuant to subdivision (c) of Section 667.5 shall be deemed a violent offender for purposes of Section 32 of Article I of the Constitution.

(d) For purposes of Section 32 of Article I of the Constitution, the "full term" of the "primary offense" shall be calculated based only on actual days served on the commitment offense.

Section 3040.4 is added to the Penal Code to read:

Pursuant to subsection (b) of Section 28 of Article I of the Constitution, the Department shall give reasonable notice to victims of crime prior to an inmate being reviewed for early parole and release. The Department shall provide victims with the right to be heard regarding early parole consideration and to participate in the review process. The Department shall consider the safety of the victims, the victims' family, and the general public when making a determination on early release.

(a) Prior to conducting a review for early parole, the Department shall provide notice to the prosecuting agency or agencies and to registered victims, and shall make reasonable efforts to locate and notify victims who are not registered.

(b) The prosecuting agency shall have the right to review all information available to the hearing officer including, but not limited to the inmate's central file, documented adult and juvenile criminal history, institutional behavior including both rehabilitative programming and institutional misconduct, any input from any person or organization advocating on behalf of the inmate, and any information submitted by the public.

(c) A victim shall have a right to submit a statement for purposes of early parole consideration, including a confidential statement.

(d) All prosecuting agencies, any involved law enforcement agency, and all victims, whether or not registered, shall have the right to respond to the board in writing.

(e) Responses to the Board by prosecuting agencies, law enforcement agencies, and victims must be made within 90 days of the date of notification of the inmate's eligibility for early parole review or consideration.

(f) The Board shall notify the prosecuting agencies, law enforcement agencies, and the victims of the Nonviolent Offender Parole decision within 10 days of the decision being made.

(g) Within 30 days of the notice of the final decision concerning Nonviolent Offender Parole Consideration, the inmate and the prosecuting agencies may request review of the decision.

(h) If an inmate is denied early release under the Nonviolent Offender Parole provisions of Section 32 of Article I of the Constitution, the inmate shall not be eligible for early Nonviolent Offender parole consideration for two (2) calendar years from the date of the final decision of the previous denial.

Section 3041 of the Penal Code is amended to read:

[language added to an existing section of law is designated in underlined type and language deleted is designated in strikeout type]

(a)(1) In the case of any inmate sentenced pursuant to any law, other than Chapter 4.5 (commencing with Section 1170) of Title 7 of Part 2, the Board of Parole Hearings shall meet with each inmate during the sixth year before the inmate's minimum eligible parole date for the purposes of reviewing and documenting the inmate's activities and conduct pertinent to parole eligibility.

During this consultation, the board shall provide the inmate information about the parole hearing process, legal factors relevant to his or her suitability or unsuitability for parole, and individualized recommendations for the inmate regarding his or her work assignments, rehabilitative programs, and institutional behavior. Within 30 days following the consultation, the board shall issue its positive and negative findings and recommendations to the inmate in writing.

(2) One year before the inmate's minimum eligible parole date a panel of two or more commissioners or deputy commissioners shall again meet with the inmate and shall normally grant parole as provided in Section 3041.5. No more than one member of the panel shall be a deputy commissioner.

(3) In the event of a tie vote, the matter shall be referred for an en banc review of the record that was before the panel that rendered the tie vote. Upon en banc review, the

board shall vote to either grant or deny parole and render a statement of decision. The en banc review shall be conducted pursuant to subdivision (e).

(4) Upon a grant of parole, the inmate shall be released subject to all applicable review periods. However, an inmate shall not be released before reaching his or her minimum eligible parole date as set pursuant to Section 3046 unless the inmate is eligible for earlier release pursuant to his or her youth offender parole eligibility date or elderly parole eligibility date.

(5) At least one commissioner of the panel shall have been present at the last preceding meeting, unless it is not feasible to do so or where the last preceding meeting was the initial meeting. Any person on the hearing panel may request review of any decision regarding parole for an en banc hearing by the board. In case of a review, a majority vote in favor of parole by the board members participating in an en banc review is required to grant parole to any inmate.

(b)(1) The panel or the board, sitting en banc, shall grant parole to an inmate unless it determines that the gravity of the current convicted offense or offenses, or the timing and gravity of current or past convicted offense or offenses, is such that consideration of the public safety requires a more lengthy period of incarceration for this individual. The panel or the board, sitting en banc, shall consider the entire criminal history of the inmate, including all current or past convicted offenses, in making this determination.

(2) After July 30, 2001, any decision of the parole panel finding an inmate suitable for parole shall become final within 120 days of the date of the hearing. During that period, the board may review the panel's decision. The panel's decision shall become final pursuant to this subdivision unless the board finds that the panel made an error of law, or that the panel's decision was based on an error of fact, or that new information should be presented to the board, any of which when corrected or considered by the board has a substantial likelihood of resulting in a substantially different decision upon a rehearing. In making this determination, the board shall consult with the commissioners who conducted the parole consideration hearing.

(3) A decision of a panel shall not be disapproved and referred for rehearing except by a majority vote of the board, sitting en banc, following a public meeting.

(c) For the purpose of reviewing the suitability for parole of those inmates eligible for parole under prior law at a date earlier than that calculated under Section 1170.2, the board shall appoint panels of at least two persons to meet annually with each inmate until the time the person is released pursuant to proceedings or reaches the expiration of his or her term as calculated under Section 1170.2.

(d) It is the intent of the Legislature that, during times when there is no backlog of inmates awaiting parole hearings, life parole consideration hearings, or life rescission hearings, hearings will be conducted by a panel of three or more members, the majority of whom shall be commissioners. The board shall report monthly on the number of cases where an inmate has not received a completed initial or subsequent parole consideration hearing within 30 days of the hearing date required by subdivision (a) of Section 3041.5 or paragraph (2) of subdivision (b) of Section 3041.5, unless the inmate has waived the right to those timeframes. That report shall be considered the backlog of cases for purposes of this section, and shall include information on the progress toward eliminating the backlog, and on the number of inmates who have waived their right to the above timeframes. The report shall be made public at a regularly scheduled meeting of the board and a written report shall be made available to the public and transmitted to the Legislature quarterly.

(e) For purposes of this section, an en banc review by the board means a review conducted by a majority of commissioners holding office on the date the matter is heard by the board. An en banc review shall be conducted in compliance with the following:

(1) The commissioners conducting the review shall consider the entire record of the hearing that resulted in the tie vote.

(2) The review shall be limited to the record of the hearing. The record shall consist of the transcript or audiotape of the hearing, written or electronically recorded statements actually considered by the panel that produced the tie vote, and any other material actually considered by the panel. New evidence or comments shall not be considered in the en banc proceeding.

(3) The board shall separately state reasons for its decision to grant or deny parole.

(4) A commissioner who was involved in the tie vote shall be recused from consideration of the matter in the

en banc review.

Section 3454 of the Penal Code is amended to read: [language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strickout~~ type]

(a) Each supervising county agency, as established by the county board of supervisors pursuant to subdivision (a) of Section 3451, shall establish a review process for assessing and refining a person's program of postrelease supervision. Any additional postrelease supervision conditions shall be reasonably related to the underlying offense for which the offender spent time in prison, or to the offender's risk of recidivism, and the offender's criminal history, and be otherwise consistent with law.

(b) Each county agency responsible for postrelease supervision, as established by the county board of supervisors pursuant to subdivision (a) of Section 3451, may determine additional appropriate conditions of supervision listed in Section 3453 consistent with public safety, including the use of continuous electronic monitoring as defined in Section 1210.7, order the provision of appropriate rehabilitation and treatment services, determine appropriate incentives, and determine and order appropriate responses to alleged violations, which can include, but shall not be limited to, immediate, structured, and intermediate sanctions up to and including referral to a reentry court pursuant to Section 3015, or flash incarceration in a city or county jail. Periods of flash incarceration are encouraged as one method of punishment for violations of an offender's condition of postrelease supervision.

(c) As used in this title, "flash incarceration" is a period of detention in a city or county jail due to a violation of an offender's conditions of postrelease supervision. The length of the detention period can range between one and 10 consecutive days. Flash incarceration is a tool that may be used by each county agency responsible for postrelease supervision. Shorter, but if necessary more frequent, periods of detention for violations of an offender's postrelease supervision conditions shall appropriately punish an offender while preventing the disruption in a work or home establishment that typically arises from longer term revocations.

(d) Upon a decision to impose a period of flash incarceration, the probation department shall notify the court, public defender, district attorney, and sheriff of each imposition of flash incarceration.

Section 3455 of the Penal Code is amended to read: [language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strickout~~ type]

(a) If the supervising county agency has determined, following application of its assessment processes, that intermediate sanctions as authorized in subdivision (b) of Section 3454 are not appropriate, or if the supervised person has violated the terms of his or her release for a third time, the supervising county agency shall petition the court pursuant to Section 1203.2 to revoke, modify, or terminate postrelease community supervision. At any point during the process initiated pursuant to this section, a person may waive, in writing, his or her right to counsel, admit the violation of his or her postrelease community supervision, waive a court hearing, and accept the proposed modification of his or her postrelease community supervision. The petition shall include a written report that contains additional information regarding the petition, including the relevant terms and conditions of postrelease community supervision, the circumstances of the alleged underlying violation, the history and background of the violator, and any recommendations. The Judicial Council shall adopt forms and rules of court to establish uniform statewide procedures to implement this subdivision, including the minimum contents of supervision agency reports. Upon a finding that the person has violated the conditions of postrelease community supervision, the revocation hearing officer shall have authority to do all of the following:

(1) Return the person to postrelease community supervision with modifications of conditions, if appropriate, including a period of incarceration in a county jail.

(2) Revoke and terminate postrelease community supervision and order the person to confinement in a county jail.

(3) Refer the person to a reentry court pursuant to Section 3015 or other evidence-based program in the court's discretion.

(b) (1) At any time during the period of postrelease community supervision, if a peace officer including

person subject to postrelease community supervision is violating any term or condition of his or her release, or has failed to appear at a hearing pursuant to Section 1203.2 to revoke, modify, or terminate postrelease community supervision, the officer may, without a warrant or other process, arrest the person and bring him or her before the supervising county agency established by the county board of supervisors pursuant to subdivision (a) of Section 3451. Additionally, an officer employed by the supervising county agency may seek a warrant and a court or its designated hearing officer appointed pursuant to Section 71622.5 of the Government Code shall have the authority to issue a warrant for that person's arrest.

(2) The court or its designated hearing officer shall have the authority to issue a warrant for a person who is the subject of a petition filed under this section who has failed to appear for a hearing on the petition or for any reason in the interests of justice, or to remand to custody a person who does appear at a hearing on the petition for any reason in the interests of justice.

(3) Unless a person subject to postrelease community supervision is otherwise serving a period of flash incarceration, whenever a person who is subject to this section is arrested, with or without a warrant or the filing of a petition for revocation, the court may order the release of the person under supervision from custody under any terms and conditions the court deems appropriate.

(c) The revocation hearing shall be held within a reasonable time after the filing of the revocation petition. Except as provided in paragraph (3) of subdivision (b), based upon a showing of a preponderance of the evidence that a person under supervision poses an unreasonable risk to public safety, or that the person may not appear if released from custody, or for any reason in the interests of justice, the supervising county agency shall have the authority to make a determination whether the person should remain in custody pending the first court appearance on a petition to revoke postrelease community supervision, and upon that determination, may order the person confined pending his or her first court appearance.

(d) Confinement pursuant to paragraphs (1) and (2) of subdivision (a) shall not exceed a period of 180 days in a county jail for each custodial sanction.

(e) A person shall not remain under supervision or in custody pursuant to this title on or after three years from the date of the person's initial entry onto postrelease community supervision, except when his or her supervision is tolled pursuant to Section 1203.2 or subdivision (b) of Section 3456.

SEC. 5. DNA COLLECTION

Section 296 of the Penal Code is amended to read: [language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strickout~~ type]

(a) The following persons shall provide buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required pursuant to this chapter for law enforcement identification analysis:

(1) Any person, including any juvenile, who is convicted or pleads guilty or no contest to any felony offense, or is found not guilty by reason of insanity of any felony offense, or any juvenile who is adjudicated under Section 602 of the Welfare and Institutions Code for committing any felony offense.

(2) Any adult person who is arrested for or charged with any of the following felony offenses:

(A) Any felony offense specified in Section 290 or attempt to commit any felony offense described in Section 290, or any felony offense that imposes upon a person the duty to register in California as a sex offender under Section 290.

(B) Murder or voluntary manslaughter or any attempt to commit murder or voluntary manslaughter.

(C) Commencing on January 1, 2009, any adult person arrested or charged with any felony offense.

(3) Any person, including any juvenile, who is required to register under Section 290 ~~through 290.009~~ or 457.1 because of the commission of, or the attempt to commit, a felony or misdemeanor offense, or any person, including any juvenile, who is housed in a mental health facility or sex offender treatment program after referral to such facility or program by a court after being charged with any felony offense.

(4) Any person, excluding a juvenile, who is convicted of, or pleads guilty or no contest to, any of the following offenses:

(A) A misdemeanor violation of Section 459.5;

(B) A violation of subdivision (a) of Section 473 that is punishable as a misdemeanor pursuant to subdivision (b) of Section 473;

punishable as a misdemeanor pursuant to subdivision (b) of Section 476a;

(D) A violation of Section 487 that is punishable as a misdemeanor pursuant to Section 490.2;

(E) A violation of Section 496 that is punishable as a misdemeanor;

(F) A misdemeanor violation of subdivision (a) of Section 11350 of the Health and Safety Code;

(G) A misdemeanor violation of subdivision (a) of Section 11377 of the Health and Safety Code;

(H) A misdemeanor violation of paragraph (1) of subdivision (c) of Section 243;

(I) A misdemeanor violation of Section 273.5;

(J) A misdemeanor violation of paragraph (1) of subdivision (b) of Section 368;

(K) Any misdemeanor violation where the victim is defined as set forth in Section 6211 of the Family Code;

(L) A misdemeanor violation of paragraph (3) of subdivision (b) of Section 647.

(4)(5) The term "felony" as used in this subdivision includes an attempt to commit the offense.

(5)(6) Nothing in this chapter shall be construed as prohibiting collection and analysis of specimens, samples, or print impressions as a condition of a plea for a non-qualifying offense.

(b) The provisions of this chapter and its requirements for submission of specimens, samples and print impressions as soon as administratively practicable shall apply to all qualifying persons regardless of sentence imposed, including any sentence of death, life without the possibility of parole, or any life or indeterminate term, or any other disposition rendered in the case of an adult or juvenile tried as an adult, or whether the person is diverted, fined, or referred for evaluation, and regardless of disposition rendered or placement made in the case of juvenile who is found to have committed any felony offense or is adjudicated under Section 602 of the Welfare and Institutions Code.

(c) The provisions of this chapter and its requirements for submission of specimens, samples, and print impressions as soon as administratively practicable by qualified persons as described in subdivision (a) shall apply regardless of placement or confinement in any mental hospital or other public or private treatment facility, and shall include, but not be limited to, the following persons, including juveniles:

(1) Any person committed to a state hospital or other treatment facility as a mentally disordered sex offender under Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(2) Any person who has a severe mental disorder as set forth within the provisions of Article 4 (commencing with Section 2960) of Chapter 7 of Title 1 of Part 3 of the Penal Code.

(3) Any person found to be a sexually violent predator pursuant to Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(d) The provisions of this chapter are mandatory and apply whether or not the court advises a person, including any juvenile, that he or she must provide the data bank and database specimens, samples, and print impressions as a condition of probation, parole, or any plea of guilty, no contest, or not guilty by reason of insanity, or any admission to any of the offenses described in subdivision (a).

(e) If at any stage of court proceedings the prosecuting attorney determines that specimens, samples, and print impressions required by this chapter have not already been taken from any person, as defined under subdivision (a) of Section 296, the prosecuting attorney shall notify the court orally on the record, or in writing, and request that the court order collection of the specimens, samples, and print impressions required by law. However, a failure by the prosecuting attorney or any other law enforcement agency to notify the court shall not relieve a person of the obligation to provide specimens, samples, and print impressions pursuant to this chapter.

(f) Prior to final disposition or sentencing in the case the court shall inquire and verify that the specimens, samples, and print impressions required by this chapter have been obtained and that this fact is included in the abstract of judgment or dispositional order in the case of a juvenile. The abstract of judgment issued by the court shall indicate that the court has ordered the person to comply with the requirements of this chapter and that the person shall be included in the state's DNA and Forensic Identification Data Base and Data Bank program and be subject to this chapter.

However, failure by the court to verify specimen, sample, and print impression collection or enter these facts in the

a juvenile shall not invalidate an arrest, plea, conviction, or disposition, or otherwise relieve a person from the requirements of this chapter.

SEC. 6. SHOPLIFTING

Section 459.5 of the Penal Code is amended to read: [language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout type~~]

(a) Notwithstanding Section 459, shoplifting is defined as entering a commercial establishment with intent to commit larceny steal retail property or merchandise while that establishment is open during regular business hours, where the value of the property that is taken or intended to be taken does not exceed nine hundred fifty dollars (\$950). Any other entry into a commercial establishment with intent to commit larceny is burglary. Shoplifting shall be punished as a misdemeanor, except that a person with one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290 may be punished pursuant to subdivision (h) of Section 1170.

(b) Any act of shoplifting as defined in subdivision (a) shall be charged as shoplifting. No person who is charged with shoplifting may also be charged with burglary or theft of the same property.

(c) "Retail property or merchandise" means any article, product, commodity, item or component intended to be sold in retail commerce.

(d) "Value" means the retail value of an item as advertised by the affected retail establishment, including applicable taxes.

(e) This section shall not apply to theft of a firearm, forgery, the unlawful sale, transfer, or conveyance of an access card pursuant to Section 484e, forgery of an access card pursuant to Section 484f, the unlawful use of an access card pursuant to Section 484g, theft from an elder pursuant to subdivision (e) of Section 368, receiving stolen property, embezzlement, or identity theft pursuant to Section 530.5, or the theft or unauthorized use of a vehicle pursuant to Section 10851 of the Vehicle Code.

Section 490.2 of the Penal Code is amended to read: [language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout type~~]

(a) Notwithstanding Section 487 or any other provision of law defining grand theft, obtaining any property by theft where the value of the money, labor, real or personal property taken does not exceed nine hundred fifty dollars (\$950) shall be considered petty theft and shall be punished as a misdemeanor, except that such person may instead be punished pursuant to subdivision (h) of Section 1170 if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290.

(b) This section shall not be applicable to any theft that may be charged as an infraction pursuant to any other provision of law.

(c) This section shall not apply to theft of a firearm, forgery, the unlawful sale, transfer, or conveyance of an access card pursuant to Section 484e, forgery of an access card pursuant to Section 484f, the unlawful use of an access card pursuant to Section 484g, theft from an elder pursuant to subdivision (e) of Section 368, receiving stolen property, embezzlement, or identity theft pursuant to Section 530.5, or the theft or unauthorized use of a vehicle pursuant to Section 10851 of the Vehicle Code.

SEC. 7. SERIAL THEFT

Section 490.3 is added to the Penal Code to read:

(a) This section applies to the following crimes:

- (1) petty theft;
- (2) shoplifting;
- (3) grand theft;
- (4) burglary;
- (5) carjacking;
- (6) robbery;
- (7) a crime against an elder or dependent adult within the meaning of subdivision (d) or (e) of Section 368;
- (8) any violation of Section 496;
- (9) unlawful taking or driving of a vehicle within the meaning of Section 10851 of the Vehicle Code;
- (10) Forgery;
- (11) The unlawful sale, transfer, or conveyance of an

access card pursuant to Section 484e.

(12) Forgery of an access card pursuant to Section 484f.

(13) The unlawful use of an access card pursuant to Section 484g.

(14) Identity theft pursuant to Section 530.5.

(15) The theft or unauthorized use of a vehicle pursuant to Section 10851 of the Vehicle Code.

(b) Notwithstanding subsection (3) of subdivision (h) of Section 1170, subsections (2) and (4) of subdivision (a) of Section 1170.12, subsections (2) and (4) of subdivision (c) of Section 667, any person who, having been previously convicted of two or more of the offenses specified in subdivision (a), which offenses were committed on separate occasions, and who is subsequently convicted of petty theft or shoplifting where the value of the money, labor, or real or personal property taken exceeds two hundred fifty dollars (\$250) shall be punished by imprisonment in the county jail not exceeding one year, or imprisonment pursuant to subdivision (h) of Section 1170.

(c) This section does not prohibit a person or persons from being charged with any violation of law arising out of the same criminal transaction that violates this section.

SEC. 8. ORGANIZED RETAIL THEFT

Section 490.4 is added to the Penal Code to read:

(a) "Retail property or merchandise" means any article, product, commodity, item or component intended to be sold in retail commerce.

(b) "Value" means the retail value of an item as advertised by the affected retail establishment, including applicable taxes.

(c) Any person, who, acting in concert with one or more other persons, commits two (2) or more thefts pursuant to Sections 459.5 or 490.2 of retail property or merchandise having an aggregate value exceeding two hundred fifty dollars (\$250) and unlawfully takes such property during a period of one hundred eighty days (180) is guilty of organized retail theft.

(d) Notwithstanding subsection (3) of subdivision (h) of Section 1170, subsections (2) and (4) of subdivision (a) of Section 1170.12, subsections (2) and (4) of subdivision (c) of Section 667, organized retail theft shall be punished by imprisonment in the county jail not exceeding one year, or imprisonment pursuant to subdivision (h) of Section 1170.

(e) For purposes of this section, the value of retail property stolen by persons acting in concert may be aggregated into a single count or charge, with the sum of the value of all of the retail merchandise being the values considered in determining the degree of theft.

(f) An offense under this section may be prosecuted in any county in which an underlying theft could have been prosecuted as a separate offense.

(g) This section does not prohibit a person or persons from being charged with any violation of law arising out of the same criminal transaction that violates this section.

SEC. 9. AMENDMENTS

This act shall not be amended by the Legislature except by a statute that furthers the purposes, findings and declarations of the Act and is passed in each house by roll call vote entered in the journal, three-fourths of the membership of each house concurring, or by a statute that becomes effective only when approved by the voters.

SEC. 10. SEVERABILITY

If any provision of this Act, or any part of any provision, or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remaining provisions and applications which can be given effect without the invalid or unconstitutional provision or application shall not be affected, but shall remain in full force and effect, and to this end the provisions of this Act are severable.

SEC. 11. CONFLICTING INITIATIVES

(a) In the event that this measure and another measure addressing parole consideration pursuant to Section 32 of Article I of the Constitution, revocation of parole and post release community supervision, DNA collection, or theft offenses shall appear on the same statewide ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes than a measure deemed to be in conflict with it, the provisions of this measure shall prevail in their entirety, and the other measure or measures shall be null and void.

(b) If this measure is approved by voters but superseded by law by any other conflicting measure approved by voters at the same election, and the conflicting ballot

measure is later held invalid, this measure shall be self-executing and given full force and effect.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

(17-0044.) RESTRICTS PAROLE FOR NON-VIOLENT OFFENDERS. AUTHORIZES FELONY SENTENCES FOR CERTAIN OFFENSES CURRENTLY TREATED ONLY AS MISDEMEANORS. INITIATIVE STATUTE. Imposes restrictions on parole program for non-violent offenders who have completed the full term for their primary offense. Expands list of offenses that disqualify an inmate from this parole program. Changes standards and requirements governing parole decisions under this program. Authorizes felony charges for specified theft crimes currently chargeable only as misdemeanors, including some theft crimes where the value is between \$250 and \$950. Requires persons convicted of specified misdemeanors to submit to collection of DNA samples for state database. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increased state and local correctional costs likely in the tens of millions of dollars annually, primarily related to increases in penalties for certain theft-related crimes and the changes to the nonviolent offender release consideration process. Increased state and local court-related costs of around a few million dollars annually related to processing probation revocations and additional felony theft filings. Increased state and local law enforcement costs not likely to exceed a couple million dollars annually related to collecting and processing DNA samples from additional offenders.

NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THIS PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT.

All signers of this petition must be registered to vote in _____ County.		This column for official use only
REGISTERED VOTERS ONLY	1. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	
	2. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	
	3. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	
	4. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	
	5. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	
	6. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	
	7. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	
	8. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	
	9. Print Your Name: _____ Residence Address ONLY: _____ Sign As Registered To Vote: _____ City: _____ Zip: _____	

DECLARATION OF CIRCULATOR (To be completed in circulator's own hand after the above signatures have been obtained.)

I, _____, am 18 years of age or older.

My residence address is _____. I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____.

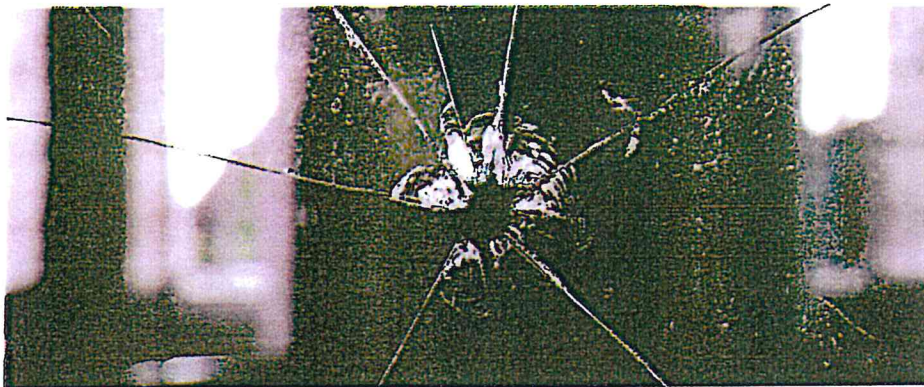
I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, at _____, California. Signature of Circulator _____

HOME LOGIN REGISTER



NEWS	POLICY	JOB BOARD	CITYNEWS U	GADFLY HALL OF FAME	COUNTYNEWS	SANCTUARY AGENCIES	CONTACT	
CAMPAIGNS AND ELECTIONS PENSION REFORM								
Home / News								



CALIFORNIA POLICE CHIEFS ASSOCIATION URGES CITIES TO SUPPORT PUBLIC SAFETY FIX

THU, 02/08/2018

In 2011, Gov. Jerry Brown signed AB 109, or the *Public Safety Realignment Act*, which shifted responsibility for certain "nonviolent" criminal offenders from the state to counties. Three years later, voters passed Proposition 47 which reduced a number of felonies to misdemeanors, including drug crimes and thefts of less than \$950. Finally, in 2016, voters passed Proposition 57 which allowed thousands more inmates, including those convicted of serious crimes, to apply for early release.

Critics say the three initiatives contained serious flaws, most notably in the way they define "non-violent" acts. Together, they argue, the measures have led to the release of dangerous criminals, encouraged theft and other property crimes, eliminated incentives for drug rehabilitation, and hindered the collection of criminals' DNA.

Some statistics bear this out. Since 2014, violent crime in California has outpaced the rest of the United States, with increases in most of California's largest cities last year. California also had the second highest increase in theft and property crimes between 2014 and 2016.

A coalition of victims, business owners, and law enforcement professionals are now lobbying for a "fix." The [Reducing Crime and Keeping California Safe Act of 2018](#) would address the flaws and loopholes contained in the trio of criminal justice reform measures by:

- Reclassifying certain serious crimes -- such as rape of an unconscious person and sex trafficking of a child -- as "violent" offenses.
- Enacting changes to the parole system and parolee oversight to prevent early release of violent criminals, while strengthening penalties for parole violations.



CITY JOBS

Human Resources Director
City of South San Francisco, California

Police Records Supervisor
City of Ventura

Community Engagement Coordinator
County of Sonoma

Probation Camp Welding Instructor
County of Sonoma

Network Analyst
Sonoma County

Employee Benefits Manager
County of Sonoma

Associate Planner II
City of Hawaiian Gardens

ASSISTANT GENERAL MANAGER - W.
City of Ventura

DIRECTOR OF PUBLIC WORKS
County of Santa Cruz

IT Applications Supervisor
County of San Luis Obispo

Insurance & Risk Manager
City of San José, CA

- Adding a felony provision for serial theft to prevent repeat property crimes.
- Expanding criminal DNA collection efforts.

To bolster its chances of success, the California Police Chiefs Association is now urging local elected officials to pass ordinances formally supporting the statewide ballot initiative.

"It cannot be understated how important local grassroots support is regarding this effort, and in general, toward protecting all Californians," a CPCA press release reads.

Rising crime in California places an enormous burden on our cities, reducing quality of life and devouring public resources. The CPCA says it is in local government's interest to help bring an end to the flaws and loopholes in current law.

[Click here for a sample resolution supporting the Reducing Crime and Keeping California Safe Act of 2018.](#)

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City of Tracy

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City of Tracy

City Manager
City of Lompoc, California

City Manager
City of Anaheim

Director of Public Works/City Engineer
City of Montclair

Community Outreach Specialist
City of Ventura

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San Joaquin County

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CITY COUNCIL

Meeting Date: February 13, 2018

TO: Mayor and City Council

FROM: Craig Platt, Public Works Director

SUBJECT: Public Hearing to consider a proposed ordinance to permit Septic Tanks in Flood Plains subject to a Development Permit approved by the City of California City.

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BACKGROUND

The City Council is being requested to consider amending the Zoning Ordinance by permitting a septic tank within flood hazard zones provided a Development Permit be obtained. If adopted the ordinance would:

1. Permit Septic Tanks within Flood Hazard Zones subject to a Development Permit from the City of California City, provided that,
2. The Development Permit comply with Chapter 11 "Flood Damage Prevention" of the California City Municipal Code.

On February 6, 2018 the Planning Commission recommended that the City Council approve these amendments to the Zoning Ordinance.

These amendments have been initiated by staff because these proposed changes will offer developers more flexibility without creating any adverse effects to development projects.

RECOMMENDATION

Conduct the public hearing, take public testimony, and give first reading, by title only of **"AN ORDINANCE AMENDMENT OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AMENDING SECTION 9-2.2406 (FLOOD HAZARD), OF ARTICLE 24 (OVERLAY ZONES), IN CHAPTER 2 (ZONING) OF TITLE 9 (LAND USE AND DEVELOPMENT) OF THE CALIFORNIA CITY MUNICIPAL CODE AS IT RELATES TO FLOOD HAZARD"**

FISCAL IMPACT N/A

ENVIRONMENTAL ACTION

This Zoning Text Amendment is determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305, **Class 8** consisting of actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. ([Guidelines §15308](#))

ATTACHMENTS: Proposed Ordinance

ORDINANCE NO. 18-761

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AMENDING SECTION 9-2.2406 (FLOOD HAZARD), OF ARTICLE 24 (OVERLAY ZONES), IN CHAPTER 2 (ZONING) IN TITLE 9 (LAND USE AND DEVELOPMENT) OF THE CALIFORNIA CITY MUNICIPAL CODE AS IT RELATES TO FLOOD HAZARD

WHEREAS, the City of California City has the authority, under its police power, to enact regulations for the public peace, morals, and welfare of the City; and

WHEREAS, the City of California City would like to amend the code to clarify Section 9-2.2406 in Title 9 is consistent with Chapter 11 (Flood Damage Prevention) in Title 8 (Building Regulations) with respect to Flood Hazard; and

WHEREAS, all legal prerequisites prior to the adoption of this ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY DOES ORDINAN AS FOLLOWS:

SECTION 1: Section 9-2.2406 (Flood Hazard) of Article 24 (Overlay Zones), in Chapter 2 (Zoning), of Title 9 (Land Use and Development) is hereby amended as follows:

Sec. 9-2.2406. Flood Hazard.

- (a) A Development Permit shall be issued per Section 8-11.05 "Development Permits" of the California City Municipal Code, Chapter 11 (Flood Damage Prevention).
- (b) The Development Permit shall comply with Chapter 11 "Flood Damage Prevention" of the California City Municipal Code.

SECTION 3: Repeal of Inconsistent Sections. Any provision of the California City Municipal Code or appendices thereto inconsistent with the provisions of the Ordinance, to the extent of such inconsistencies and no further, are repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 4: Environmental Review. The Council finds that adoption of this ordinance is not a "project" pursuant to California Public Resources Code Section 21065 because this ordinance merely clarifies there is no conflict between Section 9-2.2406 (Flood Hazard) of Chapter 2 (Zoning), in Title 9 (Land Use and Development) and Chapter 11 (Food Damage Prevention) in Title 8 (Building and Regulations), it will not have any significant effect on the environment, and there is no reasonable basis to conclude that this ordinance may cause a significant effect on the environment, thus no environmental review under the California Environmental Quality Act is required.

SECTION 5: Severability. If any section, subsection, clause or phrase or portion of this ordinance is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this ordinance. The City Council of California City hereby declares that it would have passed the ordinance codified in this chapter, and each section, subsection, sentence, clause and phrase or portion thereof, even though any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

SECTION 6: Attestation. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

Approved for introduction at a regular meeting on February 13, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

PASSED, APPROVED AND ADOPTED on February ____, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jennifer Wood, Mayor

APPROVED AS TO FORM:

Christian Bettenhausen, City Attorney

ATTEST:

Denise Hilliker, City Clerk
[SEAL]

CITY COUNCIL

Date of Meeting February 13, 2018

TO: Mayor and City Council

FROM: Mayor Wood

SUBJECT: Assignment of Alternates for Council Appointments

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BACKGROUND

City Council members are appointed to various boards and commissions in the course of their duties as elected officials representing the City of California City. Currently, there are vacancies for alternates.

RECOMMENDATION

Review list of council appointments and fill vacancies for alternates.

FISCAL IMPACT

None

ENVIROMENTAL IMPACT

N/A

Attachment: Current Appointments

<p style="text-align: center;">COUNCIL APPOINTMENTS TO BOARDS - AGENCYS - COMMISSIONS - COMMITTEES 2016/2017</p>		
ORGANIZATION	APPOINTMENT	MEETING SCHEDULE
Mayor Pro Tem	J. Carlos Gomez	
Successor Agency to the California City Redevelopment Agency	<u>Directors:</u> Jennifer Wood J. Carlos Gomez Chuck McGuire Donald Parris Gene Stump	Special Meetings held as needed
Kern Council of Governments (KCOG)	Jennifer Wood James Gray Alt.	KERN COG meetings are on the third Thursday of the month.
Kern County Association of Cities	Gene Stump Alt.	Last Thursday of March, May, July, September, November. Host city rotates through membership.
League of California Cities/Desert Mountain Div.	J. Carlos Gomez Chuck McGuire, Alt.	Fourth Friday every other month. Host city rotates through membership.
Kern Economic Development Corporation (KEDC)	Jennifer Wood Alt.	Meetings the First Thursday of every other month
California City/MUSD Cooperation Committee	Chuck McGuire Alt.	Quarterly. No meetings scheduled at this time.
EAFB Civ-Mil Support Group	Tom Weil , Gene Stump Alt.	2 nd Thursday of month, 7:30 a.m. at the California Edison Bldg. on 10th Street West in Lancaster.
Eastern Kern Air Pollution Control Board	Don Parris Gene Stump, Alt.	Every other month
Golf Course Subcommittee	Gene Stump Chuck McGuire	Meetings called as need arises.

<p style="text-align: center;">COUNCIL APPOINTMENTS TO BOARDS - AGENCYS - COMMISSIONS - COMMITTEES 2016/2017</p>		
Kern County City Selection Committee: Hazardous Waste Management Committee	Don Parris Alt.	
East Kern Alliance	Don Parris Alt.	Meetings called as need arises
EAFB Installation Restoration Program/Restoration Advisory Board	Pending	Quarterly at a minimum.
Planning Commission	Chair / Samuel Pope Vice / Don Trumble Jim Creighton Ron Hogan Inge Elmes	1st and 3rd Tuesday of every month in the Council Chambers. 2-year term, staggered appointments made yearly in April by Council, take office May 1.
Park and Recreation Commission	Chair / Dee Sutherland Charles Hemmingway Terry Lucy Carolinda Batiste Todd Brussard	Monthly meetings 3rd Wednesday of each month
Citizen Advisory Committee (CAC) Chairman reports quarterly on Sp. Tax, road paving	Council liaison, Chuck McGuire	Meet at 6:00 p.m. on 3 rd Thursday of each month in the City Council chambers.
California City Economic Development Corporation (CCEDC)	Jennifer Wood Alt.	Meetings held 1st Thursday at 8:30 a.m. at the Sprague building (Board Mtg.) and 3rd Thursday (General Mtg.) of each month at 7:30 a.m. at varying locations.
Housing Corporation	Don Parris Jennifer Wood J. Carlos Gomez	Meetings held 5:00 p.m. in the Council Chamber Quarterly Staff Tom Weil, President Jeanie O'Laughlin, Finance Director Amy Hurtado, Housing Manager

**COUNCIL APPOINTMENTS
TO
BOARDS - AGENCYS - COMMISSIONS - COMMITTEES 2016/2017**

PARSAC Public Agency Risk Sharing Authority of California	Tom Weil Jennifer Wood, Alt.	Board meets quarterly in Sacramento
Council Subcommittees		
Administration/Budget/ Audit	Jennifer Wood Gene Stump, Alt	Finance, staff meetings called as necessary
Public Safety	Chuck McGuire Don Parris, Alt	Police and Fire Issues; as above
Development	Jennifer Wood J. Carlos Gomez, Alt	Planning/Community Development
Public Works	Jennifer Wood Chuck McGuire	Engineering, Water, Sewer, Streets
Personnel Relations	Chuck McGuire Gene Stump, Alt	Review personnel issues and negotiations. No direct participation in negotiations
Friends of EAFB	Tom Weil Jennifer Wood	Meeting schedule not yet determined
75th Anniversary Committee	Pending	
East Kern Economic Alliance	Jennifer Wood Alt.	
Regional Water Management Group	Primary Alt	

CITY COUNCIL

February 13, 2018

TO: Mayor and City Council

FROM: Robert Stockwell, Interim City Manager

SUBJECT: Clarifying the Intent of Measure B Tax Extension

BACKGROUND:

The City Council adopted a resolution placing Measure B on the April 10, 2018 ballot. Section 3-2.1.506 of the measure (if adopted) would provide:

“Proceeds of the tax shall be used only for (1) police operations, training and supplies, personnel, equipment, law enforcement, dispatch, animal control, and facilities, (2) fire prevention and suppression operations, training and supplies, firefighter and paramedic personnel, equipment and facilities (3) code enforcement; (4) street improvements; and (5) senior programs, parks, and recreational services and improvements.”

If the voters fail to extend the parcel tax, the City will have a multi-million-dollar budget deficit, and major cuts to police and fire protection will be required.

Because the \$150 tax amount did not increase with inflation, nor will it, the parcel tax does not now, nor will it in the future, have enough to even fund the *current* police and fire budgets, let alone increases. In fact, looking forward, the purchasing power of the fixed parcel tax will only continue to diminish. In other words, practically speaking, because the City's budget is already so constrained, the City will have to use all of the proceeds of the special tax to support police and fire. That said, if for some reason the City in the future obtains sufficient revenue from other sources, and the Council determines police and fire are adequately funded at that time, Measure B would allow the Council to allocate funds to support additional areas of need.

Staff has drafted a resolution that would confirm the Council's intent to spend the parcel tax funds solely to fund police and fire. The resolution is intended to allay the concerns of those who have expressed a willingness to support the tax if all the funds are dedicated to police and fire.

RECOMMENDATION:

Adopt a resolution establishing the City Council's intent to use the parcel tax proceeds solely to support police and fire.

FISCAL AND ENVIRONMENTAL IMPACT:

If Measure B is not adopted, there is a potentially massive negative impact on all City operations.

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF CALIFORNIA CITY
DECLARING ITS INTENT THAT SPECIAL TAX PROCEEDS BE USED
SOLELY TO SUPPORT POLICE AND FIRE**

WHEREAS, the City Council of California City called an election to consider extending the term of the current \$150 parcel tax;

WHEREAS, the measure will appear on the April 10, 2018 ballot as Measure B;

WHEREAS, Measure B requires that the proceeds of the Parcel Tax be used only for police, fire, code enforcement, street improvements and senior programs and recreational services and improvements;

WHEREAS, even if Measure B is adopted, there will still be insufficient annual revenues to support the police and fire department budgets;

WHEREAS, for the foreseeable future, the City will need all of the parcel tax proceeds to support the police and fire departments;

WHEREAS, if in future years the City obtains additional revenue such that the police and fire departments have been fully funded, Measure B would allow the City Council to determine at that time, and during a public meeting, whether any portion of any surplus should be used to support programs or services in addition to police and fire; and

WHEREAS, the City Council wishes to clarify that public safety is at the forefront of its concerns, and that the primary purpose of the Council placing Measure B on the ballot was to ensure an ongoing stable source of funds to support the budgets of the Police and Fire Departments.

NOW THEREFORE, the City Council of the City of California City resolves as follows:

The City Council hereby declares that it intends to allocate all Measure B proceeds solely to fund the Police and Fire Departments.

This Resolution was approved on February 13, 2018 by the following vote:

AYES:

NOES:

ABSENT:

Jennifer Wood, Mayor

ATTEST:

APPROVED AS TO FORM:

Denise Hilliker, City Clerk

Christian Bettenhausen, City Attorney

CITY COUNCIL

February 13, 2018

TO: Mayor and City Council

FROM: Robert Stockwell, Interim City Manager

SUBJECT: Establishment of Strategic Fund Balance

BACKGROUND

As we approach the April 10, 2018 Special Election where Measure B proposes to continue the \$150.00 Parcel Tax there have been concerns raised by various citizens and organizations about the City's financial management. One such concern relates to how the City maintains its various Governmental and Enterprise Fund balances. To date the City has not established a formal policy on how revenues in excess of current expenses are to be held within each fund and what restrictions should apply to these balances. While there is nothing to indicate that fund balances have been inappropriately used either within the individual fund or that funds have been transferred inappropriately to another fund, establishing a formal policy should allay concerns that funds intended for a specific purpose. In the present case, ensuring that funds collected from the Parcel Tax are allocated to the identified purpose and any resultant fund balance remain in the specified fund.

It is essential that the City maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures or other similar circumstances. The fund balance also provides cash flow liquidity for the City's general operations. In addition, it is vital that the City Manager and Finance Department be authorized to prepare financial reports which accurately categorize fund balance per GASB 54, *Fund Balance Reporting and Governmental Fund Type Definitions*.

Current Fund Balance Policy

Currently the only policy the City has regarding Fund Balances is as it pertains to the Balanced Budget policy adopted in November 10, 2015. The policy adopted at that time states a 4/5 vote is required to use surplus funds held in reserves.

However, it failed to set a minimum strategic fund balance needed for emergencies or unanticipated budget shortfalls. It also did not include a policy regarding the spending prioritization of fund balances.

Current municipal finance best practices are to use the most restricted category of funds that is available before unrestricted amounts. In addition, within unrestricted resources, committed resources should be used first, followed by assigned resources, and finally unassigned resources.

Strategic Fund Balance Policy

As described in the attached Fund Balance Policy, the Finance Department proposes the following:

1. A minimum strategic fund balance of 15-20% of the budgeted operational expenditures be established across all operating funds to provide a safety net that ensures the orderly provisions of services to citizens in the event of an unanticipated budget shortfall or emergency. The lower figure should be seen as the floor and the higher figure as the ceiling. Allowing the strategic reserve to drop below 15% exposes the City to the risk of being unable to respond when an emergency or unanticipated drop in revenues occurs. Maintaining over 20% in the strategic reserve would result in funds being restricted unnecessarily to address current operations and capital needs of the various operations of the City.
2. To the extent that the unassigned fund balance exceeds the minimum target, the City may draw upon fund balance to provide cash financing for capital projects or other one-time purchases.
3. The balanced policy be amended to state that 4/5 vote should only be required for those expenditures that require going below the 15% strategic fund balance or to allow the strategic fund balance to exceed 20%.
4. The City adopt a policy regarding the order of expenditure of funds, as noted above and as described in the attached fund balance policy.

A major purpose of the Fund Balance Policy is to clearly establish the purpose of each fund's balance and is intended to create easily tracked allocations of strategic balances, restricted balances in compliance with outside regulations, balance held to accumulate funds over time for specific projects, balances held to meet contractual obligations, and balance that may be expended for non-recurring expenses (projects, equipment, material

RECOMMENDATION

City Council discuss and direct legal counsel to prepare a resolution in accordance with the attached strategic fund balance policy. In addition, the prepared resolution will be brought back to the next City Council meeting to be put on the consent calendar.

FISCAL AND ENVIRONMENTAL IMPACT

None.

City of California City

FUND BALANCE POLICY

PURPOSE

This Fund Balance Policy establishes the procedures for reporting unrestricted fund balance in the fund financial statements. It is essential that the City maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures or other similar circumstances. The fund balance also provides cash flow liquidity for the City's general operations. In addition, the policy authorizes the City Manager and Finance Department to prepare financial reports which accurately categorize fund balance per GASB 54, *Fund Balance Reporting and Governmental Fund Type Definitions*.

POLICY

Classification of Fund Balances

Fund Balance shall mean the gross difference between fund assets and liabilities reflected on the balance sheet. Governmental fund assets are those of the General Fund, Special Revenue Funds, Debt Service Funds, and Capital Project Funds.

Enterprise fund assets are those of the Water Fund, Sewer Fund, Airport Fund, and Dial-A-Ride Fund. Negative fund balance amounts shall not be reported for restricted, committed, or assigned funds.

The fund balance of the general fund, one of the governmental fund types, is of primary significance because the general fund is the primary fund, which finances most operations in the City.

In accordance with Governmental Accounting Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, governmental fund balance will be presented using the following classifications depicting the relative strength of the spending constraints placed on the purposes for which the resources can be used:

Non-spendable Fund Balance – portion of fund balance that cannot be spent because it is either (a) not in a spendable form, such as prepaid items, inventories or supplies, or loans receivable; or (b) legally or contractually required to be maintained intact, such as the principal portion of an endowment. Included are inventories, prepaid amounts, deferred expenditures, long-term receivables, notes receivable, and outstanding encumbrances. Specifically, in the City's annual financial reports, this component of fund balance includes:

- Advances from other funds.

City of California City

FUND BALANCE POLICY

Restricted Fund Balance – portion of fund balance that reflects constraints placed on the use of resources (other than non-spendable items) that are either (a) externally imposed by creditors (such as through debt covenants) or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation. Specifically, in the City's financial reports, this component of fund balance includes amounts restricted for:

- Public Safety
- Parks and Recreation
- Street Maintenance
- Subdivision infrastructure (SDI)
- Community Development

Committed Fund Balance – portion of fund balance that is subject to self-imposed constraints on spending due to formal action of the highest level of decision-making authority (the City Council); funds remain committed unless removed in the same manner. Specifically, in the City's financial reports, this component of fund balance includes amounts committed for:

- General Government
- Parks and Recreation

Assigned Fund Balance – portion of fund balance that is constrained by the City's intent to utilize fund balance for a specific purpose, but that is neither restricted nor committed. Currently includes the following Council-designated reserves:

- Community Development
- Parsac Insurance

Unassigned Fund Balance – portion of fund balance that is the difference between the total fund balance and the total of the non-spendable fund balance, restricted fund balance, committed fund balance, and assigned fund balance.

Due to the already present and/or legal limitations on the use of non-spendable and restricted fund balances, they are not subject to this Fund Balance Policy. The following fund balance policies are only relevant to the unrestricted fund balances, which include committed, assigned, and unassigned.

Authorization and Action to Commit Fund Balance

The City Council is the government's highest level of decision-making authority and the formal action that is required to establish, modify, or rescind a fund balance commitment

City of California City

FUND BALANCE POLICY

is a resolution approved by the Council at a City Council meeting. The resolution must either be approved or rescinded, as applicable, prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined subsequent to fiscal year end.

Authorization and Action to Assign Fund Balance

By resolution, the Council has authorized the City Manager and Director of Financial Services to assign fund balance. Therefore, assignments of fund balance by the City Manager and Director of Financial Services do not require formal action by the City Council. The City Council maintains its authority, at all times, to assign fund balance to a specific purpose in relation to this Fund Balance Policy by providing direction to staff.

Minimum Unassigned Fund Balance

The City will strive to maintain an unassigned fund balance of 15% of the budgeted operational expenditures across all funds. Due to the volatile nature of a majority of City revenues, it is not deemed excessive for the City to maintain a fund balance in the City's funds at levels greater than 15% of the budgeted operational expenditures. The purpose of this unassigned balance is to provide a safety net that ensures the orderly provisions of services to citizens in the event of an unanticipated budget shortfall or emergency situation.

Should unassigned fund balance fall below the target amount, the City will seek to reduce expenditures, prior to increasing revenues, in order to replenish fund balance within a reasonable timeframe. The City will make every effort to avoid using fund balances for recurring operational expenditures. To the extent that the unassigned fund balance exceeds the minimum target, the City may draw upon fund balance to provide cash financing for capital projects or other one-time purchases.

Order of Expenditure of Funds

The spending prioritization, or flow assumption, is to use the most restricted category of funds that is available before unrestricted amounts. Within unrestricted resources, committed resources are used first, followed by assigned resources, and finally unassigned resources.

